



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

HISTORY OF MARYLAND

PASSANO



Sf. xii
(Passano)

7-1SG



SMITH'S MAP OF VIRGINIA AND MARYLAND, 1608.

HISTORY OF MARYLAND

BY

L. MAGRUDER PASSANO

(A.B. JOHNS HOPKINS UNIVERSITY)

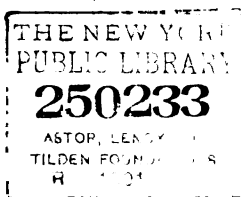
WRITTEN ESPECIALLY FOR USE IN PUBLIC AND
PRIVATE SCHOOLS

SECOND EDITION

BALTIMORE

WM. J. G. DULANY COMPANY

Checked
May 1913



COPYRIGHT, 1901, BY
L. MAGRUDER PASSANO

CONTENTS.

CHAPTER.	PAGE.
I. Settlement and Early History	5
II. Early History Continued	16
III. From the Overthrow of the Proprietary Government to the Beginning of the Revolution	26
IV. Manners and Customs of the Colonial Period	38
V. The Revolution up to the Time of Independence	57
VI. Maryland in the Revolutionary War	70
VII. The First Decade of the Nineteenth Century	85
VIII. The War of 1812	97
IX. After the War with England: Political History; Internal Improvements; Society and Manners	108
X. New Political Parties; the Slavery Question	120
XI. Politics in Maryland, 1861 to 1864	128
XII. The Civil War	141
XIII. The Political History of Maryland since 1865	150
XIV. Institutions and Schools	158
XV. Maryland's Progress	170

APPENDIX.

A. A List of the Governors of Maryland	183
B. Statistics of Population, etc.	186
C. Articles from the Constitution of 1864	188
D. A Table of the Principal Dates in the History of Maryland	189
E. A List of Books for Consultation	191
Constitution of Maryland	193

CHAPTER I.

SETTLEMENT AND EARLY HISTORY.

Any history of Maryland may well begin with the names of George and Cecilius Calvert, two names in which the State may take much pride. To the former of these, the father, is due the idea of founding the colony; and to the latter, the son, is due the successful carrying out of that idea.

**George and Cecilius
Calvert, Founders
of the State.**

George Calvert was born in England in the year 1582. After being educated at Oxford and traveling on the Continent he returned to England, where he married Anne Mynne. He was a great favorite of King James I. under whom he held many offices and by whom he was knighted in 1617. Two years later he was appointed Secretary of State. In the year 1624 he resigned this office at the same time that he publicly professed the Roman Catholic religion. Whether he was first converted to that faith at the time or had before held it in secret is not certainly known; but at any rate his religion did not lose him the King's favor, for in the following year he was made Baron Baltimore of the Irish peerage, and received large estates. He took his



GEORGE CALVERT.

title from the name of his manor of Baltimore, in County Longford, in the central part of Ireland.

Lord Baltimore was greatly interested in the colonization of America, and in the year 1623 received from King James the grant of a part of southeastern Newfoundland. He sent some colonists there at once, but did not go himself until five years later, when he sailed with his wife and children, except the eldest, to the new settlement called Avalon. Soon after his arrival he

**Settlement
of Avalon.**

was attacked by three French cruisers which he succeeded in driving off, but a worse enemy awaited him. The climate was so severe, the winters so long and cold, that half the settlers were sick and a number of them died. At length Lord Baltimore wrote to the new King of England, Charles I., that he was going to sail, with all his people except a few fishermen, farther south, and asked the King to give him a part of the lands belonging to the crown, in Virginia. In October, 1629, he arrived at Jamestown.

Now, as we have said, Lord Baltimore was a Catholic, and the people of Virginia in those days did not like the Catholics, or as they were then called the Papists. Accordingly they forced Lord Baltimore to sail back to England. There, after much trouble, he received from King Charles a new charter, almost exactly like his first

**Death of the first
Lord Baltimore,
April 15, 1632.**

one, giving him the province of Maryland, which was named after the Queen, Henrietta Maria. Before the charter was sealed, however, Lord Baltimore died, worn out by the hardships he had suffered in Newfoundland.

Every loyal boy and girl of Maryland should remember the name of George Calvert, not only because he

founded their State, but also because of the greatness of his character. One of the ways in which he showed his greatness had much to do with the history of Maryland. In our days no one cares very much whether a man be a Catholic or a Protestant ; whether he belong to the Episcopal Church, or the Baptist, or some other ; provided only he be honest and upright, courteous and kindly. But in the times of George Calvert, Catholics and Protestants hated each other and did all the harm to each other that they could. Lord Baltimore saw how wrong this was, and

George Calvert and Religious Toleration.

intended to make of Maryland a land where every man might worship as his conscience told him was right. To George Calvert is due the credit of having planned this noble scheme, and to Cecilius Calvert is due the honor of having successfully carried it out.

Some months after the death of George Calvert this new charter, dated June 20, 1632, was given to his son,

Cecilius Calvert receives the Charter of Maryland, 1632.

Cecilius, the second Baron of Baltimore, who was then twenty-six years old. Cecilius Calvert was as interested

in the colony as his father had been, and worked all his life to further its interests. He never came to the colony, although he intended and wished to do so, because his time was fully taken up in England by fighting the enemies that arose against him and his charter.



CECILIUS CALVERT.

HISTORY OF MARYLAND

It was said in the charter that Maryland was to be a palatinate: let us try to understand just what that means.

**Maryland
a Palatinate.** In Virginia the Governor and his Council were appointed by the King of England, and they

were often changed; they had to tell the King what they did and why they did it. In Massachusetts, for a long time, the Governor and his Council were elected by the people as our representatives now are. Thus the government of Massachusetts could go on in its own way without having to ask the King's permission about matters. In Maryland Lord Baltimore took the place of the King, and was almost a very king. He could coin money, could make peace and declare war, could create a nobility by granting titles and honors, could create courts of law and appoint judges and other officers, and could make and carry out the laws. The colonists, while indeed they were British subjects, could not appeal from Lord Baltimore's courts to those of England. He was called "Cecilius, Absolute Lord of Maryland and Avalon." However, just as the King of England has a Parliament elected by the people, so Lord Baltimore had an Assembly elected* by the Marylanders, to help him rule, and to keep him from doing injustice to them. There was also a council consisting of the high officials of the colony, and which bore about the same relation to the lower house as the Lords do to the Commons in Parliament. Lord Baltimore, who was called the Lord Proprietor, had to send every year to the King of England, his

*The Assembly, until 1638, was not a representative but a primary Assembly, consisting of all the freemen of the colony. In 1650 and after the Council and Representatives sat as separate houses.

over-lord, two Indian arrows, and had to give the King one-fifth of all the gold and silver got from mines in the colony. No mines were found, however, so of course no gold or silver was ever sent. The colonists were English subjects, and could travel to England and trade there just as any other Englishmen could; but Parliament made no laws for them, and they could be taxed only by the Lord Proprietor with their own consent. So much power was given to the Proprietor that if Cecilius Calvert had been an unjust man he could have greatly oppressed the colonists. Fortunately he was just and wise, and neither he nor his successors made a wrong use of their powers. It must be borne in mind, too, that Lord Baltimore spent large sums of money to found his colony; and indeed the first expedition cost him about forty thousand pounds sterling.

After much trouble and delay, two ships, the Ark and the Dove, finally sailed from England on November 22, 1633, in charge of Lord Baltimore's younger brother Leonard, who was appointed Governor, and two Catholic gentlemen, Jerome Hawley and Thomas Cornwaleys.

There were on board twenty "gentlemen adventurers" and about three hundred laborers. After stopping at several places they at last arrived at their destination in the New World on March 25, 1634.*

**The First Expedition
Sails, Nov. 22, 1633.**

**Arrives in Maryland,
March 25, 1634.**

They landed on the banks of the St. Mary's River, where they bought a village of the Indians for axes, hatchets, hoes, and pieces of

*It was one hundred and ten years since Chesapeake Bay had been first entered by any European: Lucas Vasquez d'Ayllon, in 1524.

cloth. The ground had already been cleared by the Indians, so that the settlers had only to plant their seeds and tend their crops. Before long they had such plenty that they sent a shipload of corn to New England in exchange for a load of salted fish. There was no danger here of the starvation and cold from which the settlement in New-



LANDING OF THE FIRST SETTLERS IN MARYLAND.

(From the painting by Frank B. Mayer, at the State House, Annapolis.)

foundland had suffered. The Indian squaws taught the English women how to cook corn-pone and hominy, cows and pigs were got from Virginia, and in a few years thriving settlements were spread for miles along the Potomac River and Chesapeake Bay. The first Assembly was called together and the first laws were passed in 1635.

**The First General
Assembly, 1635.**

In all his dealings with the Indians Leonard Calvert treated them fairly, so that they lived on friendly terms with the settlers in Maryland; but enemies arose among their white neighbors in Virginia. King James I. and King Charles I. had a bad habit of giving the same land in America to different sets of people, a thing which happened in the case of Virginia and Maryland. The Virginians claimed the land for two hundred miles north of Old Point Comfort, and if they were right in this there was no land left for Maryland. But, in 1623, before Lord Baltimore had thought of settling in Maryland, the charter of Virginia had been annulled. Moreover, the Virginians disliked the new colony because it was a settlement of Catholics, and because by its charter it had more liberal trading rights than were granted to Virginia.

A certain William Claiborne had made, on Kent Island, not far from the mouth of the Patapsco River, a settlement which he maintained was a part of Virginia. Although this settlement was at the time merely a trading post which got its supplies of food from the Indians, nevertheless by 1632 it was represented in the Virginia House of Burgesses. Claiborne had built up a profitable trade with the Indians, exchanging knives, hatchets, and trinkets, for furs; but by the time of the arrival of Lord Baltimore's company at St. Mary's the Kent Island settlement had suffered severely from fire, scarcity of food, and Indian attacks. Claiborne, as Virginia's representative in London, had been one of the enemies whose hostile schemes had compelled Cecilius Calvert to remain in England. He is mentioned in the letter of instructions given by Lord

**Virginia Hostile
to the New Colony.**

**William Claiborne
and his Settlement
on Kent Island.**



THE LORD BALTIMORE MAP OF MARYLAND, 1635.

Baltimore to his brother for the conduct of the first expedition. In this letter the Governor was directed to treat Claiborne kindly and fairly, to notify him of the arrival of the new settlers, and to invite him to an interview concerning his settlement on Kent Island. If he refused this invitation he was to be let alone for the first year, until further directions should be sent out from Lord Baltimore. The Proprietor also directed the settlers to "avoid any occasion of difference with those of Virginea, and to have as little to do with them as they cann this first year; that they connive and suffer little injuryes from them rather then to engage themselves in a publique quarrel with them."*

Leonard Calvert agreed to let Claiborne keep his settlement and trade as much as he wished if he would get a license from the Maryland government. Claiborne's Claim Supported by the Virginia Council. This he refused to do, and insisted that his settlement was a part of Virginia. The Virginia Council, of which he was a member, upheld him in this.

About this time the St. Mary's settlers began to notice that the neighboring Indians appeared to be growing less friendly. An inquiry into the causes of this through an interpreter, a certain Captain Henry Fleete, disclosed that the Indians had been told that the newcomers were Spaniards, whom they hated, and not Englishmen. This might have led the Indians to go on the war-path and massacre the settlers at St. Mary's. Claiborne was accused of having told the Indians this story, but it is not very probable that he did so. However, Lord Baltimore was alarmed,

**Fears of an Indian
Outbreak.**

* Letter of instructions given to Leonard Calvert by Lord Baltimore, November 13, 1633. See Browne's "George and Cecilius Calvert," p. 56.

and as Claiborne still refused to submit and continued to trade without the required license, it was ordered that he should be made a prisoner, and that possession should be taken of Kent Island. In 1635 one of Claiborne's ships was seized and sold, with her cargo, for trading without a license. Claiborne at once armed another vessel, the Cockatrice, and sent it out to capture any Maryland ships it might meet. Lord Baltimore met this move by fitting out two vessels which presently captured the Cockatrice after a fight in which several men were killed and wounded. This occurred on April 23, 1635, in the Pocomoke River. On May 10 there was another fight and more bloodshed near the same place.

**Claiborne's Ships
Captured with
Bloodshed.**

The next chapter in the story is that disputes arose between Claiborne and the merchants to whom he sent the furs he got in trade. Claiborne had to go to London to settle matters with them, and in his absence Leonard Calvert took possession of Kent Island, and Palmer's Island, at the head of the Chesapeake. He found there two leaders who kept the settlers from submitting, John Boteler, who was Claiborne's brother-in-law, and Thomas Smith. The latter had gone northward to the settlement on Palmer's Island, where, he thought, he had passed the limits of Lord Baltimore's colony. There, it was said, he had persuaded the fierce Susquehannoughs to attack St. Mary's. Governor Calvert took both these men prisoners, and they were both tried for piracy and condemned. Boteler, showing a good disposition, was pardoned, and was afterwards appointed commander of the militia of the island. He remained faithful to the government from that time

**The Dispute Settled
in Lord Baltimore's
Favor, 1638.**

on. It is not known what became of Smith. This happened in February, 1638, and two months later, in April, the whole dispute was finally settled in England in Lord Baltimore's favor by the Board of Commissioners for the Plantations.

Claiborne, however, bided his time. Six years later he invaded Maryland and took Kent Island. At the same time one Richard Ingle, a tobacco trader and agent of Parliament, captured St. Mary's with an armed force.

The "Plundering Time" For a year or more Ingle and his fol-
of Ingle and Claiborne. lowers sailed about the Chesapeake,

seizing tobacco, corn, cattle and other goods. The Governor took refuge in Virginia until, in the end of the year 1646, with a force of Marylanders and Virginians he succeeded in driving out both Claiborne and Ingle.

CHAPTER II.

EARLY HISTORY CONTINUED.

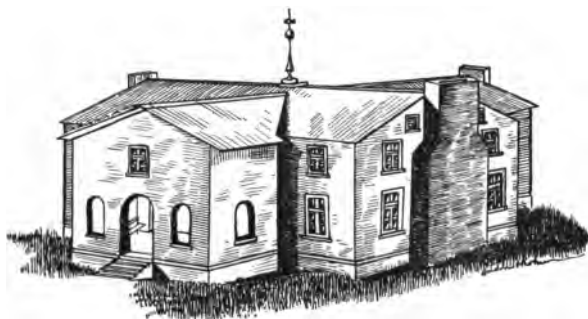
Leonard Calvert died soon after, in June, 1647, naming Mistress Margaret Brent his executrix. She was a woman of strong character. With her sister Mary she had brought nine colonists to Maryland, had received a manor, and managed affairs as well as any man. She even asked to be allowed to vote in the Assembly, but this the Governor refused.

During the Claiborne and Ingle disturbances the missionary stations which had been established among the Indians were broken up, and the Jesuit priest, Andrew White, who had been one of the first party of settlers and was now grown old, was sent in irons to England, charged with treason. He was tried and found innocent, but never returned to Maryland. He died in 1656.

In the meantime the troubles between the King and Parliament had arisen in England, and these troubles affected all the colonies. In 1648 William Stone, a Protestant and a supporter of Parliament, was appointed Governor of Maryland. At the same time changes were made in the Council which gave the Protestants a majority of its members. It was under this Governor and Council that the famous "Toleration Act" of Maryland was passed, in 1649, the year in which Charles I. was beheaded. This Act decreed, among other things, that it be "ordered and enacted that noe person or persons whatsoever within this Province, professing to believe in Jesus Christ, shall from henceforth

**The "Toleration
Act" Passed,
April 21, 1649.**

bee any waies troubled, molested or discountenanced for or in respect to his or her religion." Thus religious freedom became the law of the land, and the law was lived up to by all the Proprietors. It was only at such times as their power was overthrown that men were persecuted for religion's sake.



RESTORATION OF THE FIRST STATE HOUSE IN MARYLAND, AT ST. MARY'S.
(We are indebted to Jas. W. Thomas, Esq., author of "Chronicles of Colonial Maryland," for above illustration.)

The second Assembly, which met in 1638, and those immediately following had already passed laws for governing the colony. There was some discussion with the Lord Proprietor as to whether he or the Assembly should have the right to make the laws. The charter said that the Proprietor could make laws which the Assembly might

**Disputes as to
the Initiative in
Making Laws.**

either accept or reject; but the colonists were not satisfied with this arrangement.

It was agreed before long that the Assembly might take the initiative, and that the laws they passed should take effect at once without waiting for the Proprietor's assent. This was done because the voyage to England and back took so long a time. However, be-

fore the Acts of the Assembly finally became the law of the colony they had to be approved by Lord Baltimore; and if he disapproved them, vetoed them, they did not become the law at all.

Good men make good laws and good men obey them; but there are always some people who are ready to squabble and fight and take advantage of their power. Thus the wise and just Toleration Act could not altogether prevent trouble in Maryland. The people of Virginia thought it very wrong that King Charles had been beheaded and would not let anyone remain in their colony who thought otherwise, so that a number of Puritans who

**Puritans Settle
in Maryland,
1649.**

had been living there were driven from their homes. In the year 1649 about three hundred of them came to Maryland, where they were kindly received by Governor Stone. He permitted them, and about seven hundred more who came during the next few months, to settle on the Severn River at a place which they named Providence.

They began to make trouble almost immediately. A memorial was sent to Parliament complaining of the Jesuits in Maryland and that the Protestants were ill-treated. Virginia had declared Charles II. King on the death of his father; and when, in 1651, Parliament sent a fleet to overcome the revolt in that colony, the enemies of Maryland, among them William Claiborne whom we already know, and Richard Bennett, one of the Puritans who had fled from Virginia to Maryland, succeeded in having Maryland joined with Virginia as being in revolt. It was also urged that the two be made into a single colony. The Puritans at Providence seemed to wish that

their colony might be entirely independent of Lord Baltimore's government.

In the year 1654 they got control of the government, forcing Governor Stone to resign and naming Captain

And get Control of the Government, 1654. William Fuller Governor in his stead. Forgetting that they had been welcomed

by a Catholic when they fled from persecution in Virginia, they passed a law which said that every person might worship as he pleased, *except* Catholics, Episcopalians, and those who, "under the profession of Christ, hold forth and practice licentiousness." This last expression could be made to mean anyone who did not worship in the Puritan way.

Acting on Lord Baltimore's orders, Governor Stone, with a small force of one hundred and thirty men, advanced to the settlement at Providence, where he arrived March 24, 1655. He was met by Fuller and a force of one hundred and seventy-five men. A fight followed be-

Fighting between the Puritans and Lord Baltimore's Followers, 1655.

tween the two little armies in which Fuller won the victory with the help of two merchant vessels, one from London and one from New England. Governor Stone being promised quarter surrendered, but Fuller condemned him and nine others to death by court-martial. Four were executed, but Stone and the remainder were saved by the soldiers and women. The victors now took possession of the great seal and records of Maryland and the property of those who opposed them. But in the meanwhile Parliament had been overthrown by Cromwell, and Cromwell took Lord Baltimore's part. When the Puritans learned this they gave up the struggle, and in March, 1658, the authority of Governor Josias Fendall,

who was appointed by Lord Baltimore, was acknowledged by every one. The name of the Puritan settlement was changed to Anne Arundel County, and the city which later grew up there was called Annapolis.

Oliver Cromwell died in 1658, and for nine months England was without king or ruler, until Charles II. came to the throne. Governor Fendall and the Puritans



GREAT SEAL OF MARYLAND.

thought that as Lord Baltimore had been befriended by Cromwell he would not be favored by **Fendall's Rebellion.** King Charles. Therefore they persuaded the lower house of Burgesses, elected by the people, to declare that they were independent of Lord Baltimore and to do away with the upper house, or Council, most of whose members were supporters of the Proprietor. Fendall surrendered his commission from Lord Baltimore and then received the governorship anew in the name of the Assembly, thus entirely throwing off the Proprietor's authority. Philip Calvert, who was the Secretary

of the colony, objected to all this, but could do nothing as the other party was stronger than his. Thus Fendall and his followers had their own way until King Charles declared that every one in Maryland should obey Lord Baltimore. Philip Calvert was appointed Governor and was ordered to hang Fendall, his chief helper, William Fuller, and any others whom he saw fit to execute. However, the new Governor, meeting with no resistance, put no one to death, but contented himself with banishing some and confiscating their goods. He afterwards decided to allow even these to remain, and they were only fined and deprived of the right to vote. Thus the rebellion ended, and in 1661 Lord Baltimore's son Charles was sent over as Governor; while Philip Calvert was made Chancellor. Charles took his family with him to the New World, and we find mention in his letters of a gift of two wildcat skins sent by "little Cis" (his son Cecilius) to his grandfather in England; and of a cap, feather, sword, and belt sent by the grandfather to little Cis.

It was while Fendall was Governor that the Quakers, or as they call themselves Friends, first settled in Maryland. They had been persecuted in Massachusetts and Virginia, and so came to a State where they might worship in their own way. In Maryland they were not molested because of their religion; but it was thought they ought to be willing to act as soldiers, to serve on juries, and do other duties of that kind where there were so few men to do all that was needed to make the settlement a success. Governor Fendall had called together all the men of the colony between sixteen and sixty years of age, and had selected the fittest of them for soldiers. This militia had

**The Quakers Find
a Refuge in
Maryland.**

been formed into two regiments, the Governor commanding one, and Colonel Nathaniel Utie the other. The Quakers not only refused to serve in the militia themselves, but tried to persuade others to refuse. They refused, too, the promise to be faithful to the government, saying "they were to be governed by God's law and not by man's law." Of course such conduct could not be permitted, and therefore a decree was issued ordering all the "vagabonds and idlers," called Quakers, to leave the colony. If any ventured to return they were to be whipped out of the colony. However the law was not enforced and was soon done away with.

In the year 1638 a party of Swedes had founded a colony on the west bank of the Delaware River where Wilmington now stands. Seventeen years later the Dutch from Manhattan (New York) conquered the Swedish settlement and made two provinces of the land thereabout. Colonel Utie was sent to tell them that they had settled in Maryland and would have to live under the government of that colony. Word of this was taken to Peter Stuyvesant at Manhattan, who sent two men, Augustine Herman and Resolved Waldron, to discuss the matter with the agents of Maryland. Waldron went back to Stuyvesant to tell him that no agreement could be come to, while Herman went on to Virginia to try to get help from that province. While traveling through Maryland he was so pleased with the country that he offered to make a map of the province if Lord Baltimore would give him a manor. Lord Baltimore agreed to this proposal and Herman received a grant of five thousand acres (afterwards increased to twenty thousand) on the Elk River. He

**The Swedes
and the Dutch.**

named his place Bohemia Manor. In 1666 he and his family were naturalized; that is, an Act was passed saying that they, though foreigners by birth, were made citizens of Maryland with all a citizen's rights. He was the first foreigner naturalized in Maryland, and

The First Naturalized Citizen.

probably the first in America. His map of the province, which was engraved in London in 1673 and is now in the British Museum, was a very good one for those days; but on the northwest corner of it he marks the Alleghany Mountains near Cumberland and says: "These mighty high and great Mountaines . . . is supposed to be the very middle Ridg of Northern America." So little was then known of the great continent lying to the west of the settlements.

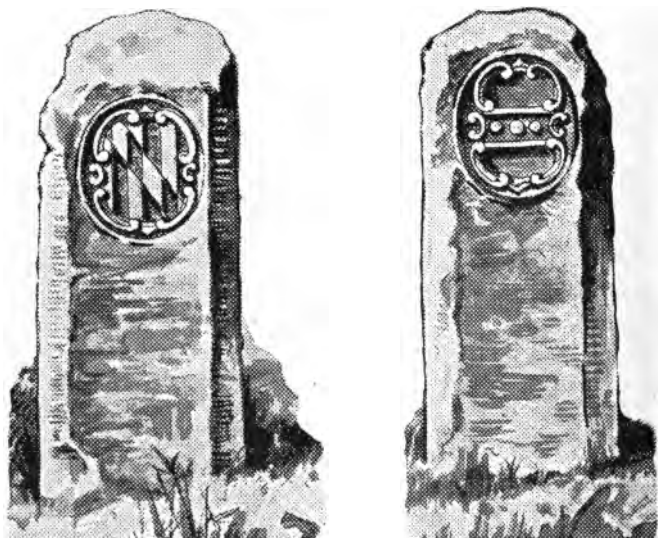
The Maryland that was given to Lord Baltimore was larger than the present State. It included all of the State of Delaware, was bounded on the east by the Dela-

Original Boundaries of the Province.

ware River, and on the north by a line drawn above the city of Philadelphia. But a part of the land extending south from Wilmington was given by King Charles II. to his brother, the Duke of York, in 1664, and in 1681 Pennsylvania was granted to William Penn. Disagreement arose almost immediately between Penn and Lord Baltimore, as the former claimed the land for some distance south into Maryland. After endless disputes the sons of William Penn succeeded in persuading Lord Baltimore to give up to them a large slice of some four thousand square miles off the northern part of Maryland. This agreement was made in 1732, and in 1760 the boundary was fixed accordingly. The northern boundary of Maryland, Mason and Dixon's line, was marked a few years later.

The Proprietors of the two colonies employed two English surveyors, Charles Mason and Jeremiah Dixon, to fix those parts of the boundary which the agreement of 1760 had left uncertain. Starting from the northeastern corner of Maryland in 1763, they had carried the line westward for two hundred

**Mason and
Dixon's
Line.**



MASON AND DIXON STONE.

and forty-four miles from the Delaware River by 1767. Fear of the Indians prevented them from going farther. The boundary was marked by mile-stones having Lord Baltimore's coat-of-arms cut on one side and that of the Penns on the other. The remaining thirty-six miles of the boundary were surveyed by Colonel Alexander McClean, of Pennsylvania, and Joseph Neville, of Vir-

ginia, and the line permanently marked, in 1784. Penn himself had indeed tried hard to take from Lord Baltimore the land as far south as the head of Chesapeake Bay, but failed in this attempt. He even proposed that Lord Baltimore should give him this big strip of land in the north and himself take enough from Virginia in the south to make up for it.

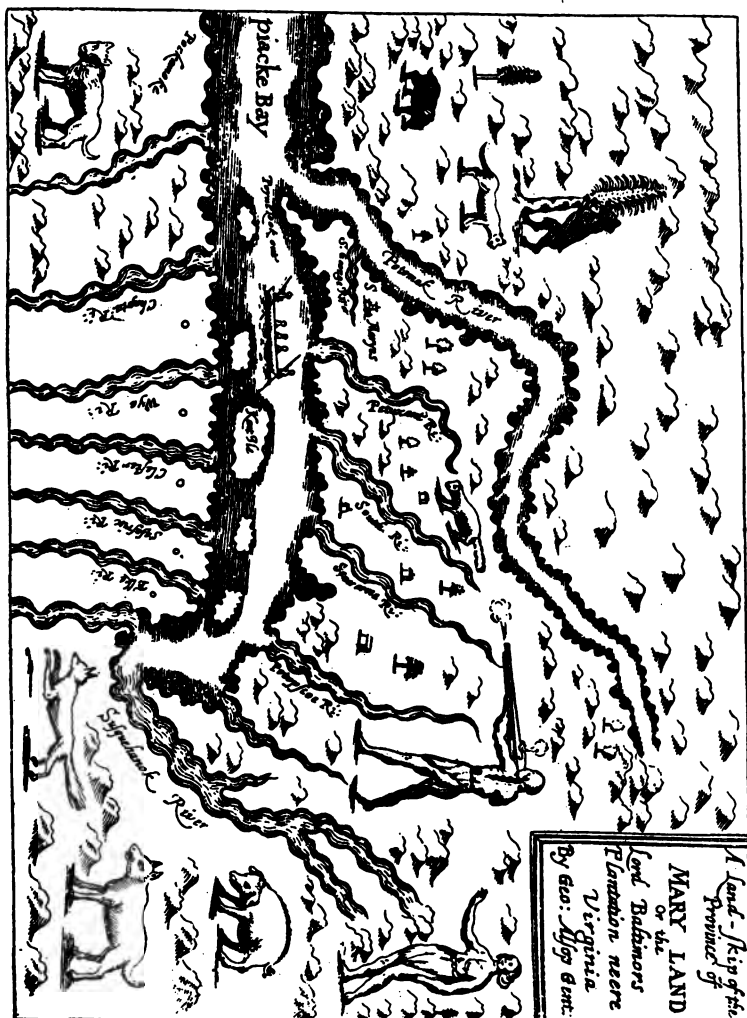
Then too, in the west, Maryland was to be bounded by the Potomac. This river divides into two branches, and it was a question whether the south or north branch were the true river. Virginia declared for the northern branch and Maryland for the southern; and although later on Maryland was proved to be in the right, Virginia refused to yield. In the year 1852 the Maryland Assembly yielded to Virginia all the lands in dispute, about half a million acres, upon certain conditions. These conditions Virginia did not fulfill, and the matter now awaits the decision of the Supreme Court of the United States.

CHAPTER III.

FROM THE OVERTHROW OF THE PROPRIETARY GOVERNMENT TO THE BEGINNING OF THE REVOLUTION.

It must not be thought that the Lord Proprietor and his settlers never had misunderstandings or discussions with each other. The colonists in Maryland, like Englishmen everywhere, were for the most part law-abiding men; but at the same time they would not consent to be imposed upon, nor to have their liberties infringed. They did not as a rule fight about such questions, but talked them over and argued about them. Sometimes they were in the right, but too often they were led into squabbling and rebellion when they were really in the wrong. Many of the settlers were friendly towards the Proprietary government, but others thought it would be better if the colony were to become directly responsible to the King of England. Then, too, the dislike felt towards the Catholics was always strong. In Maryland only about one-twelfth of the population were Catholics, one-sixth belonged to the Church of England, while fully three-fourths were Protestants of other sects; so that the Protestants far outnumbered the Catholics. Almost all the high offices were filled by kinsmen or friends of Lord Baltimore, while the people trusted to the lower house of Burgesses, or Delegates as they began to be called, whose members were elected from among themselves, to look after their interests. It sometimes happened, however,

**Causes of Dispute
between the Proprie-
tor and the Settlers.**



ALSOP'S MAP OF MARYLAND, 1666.

that the Proprietor took sides with the Burgesses against the Council.

In 1670 the Governor neglected to summon a few of the Delegates who had been elected to the Assembly, probably because he thought they would oppose his will. When he was asked why he had done this, he could give no good explanation. In this way he obtained a house of Burgesses not too much opposed to his wishes; and therefore, instead of dissolving, as was usual at the end of the year, he adjourned the Assembly, and thus kept it alive until 1676. In the meantime

**Cecilius Calvert Died
November 30, 1675.**

Cecilius Calvert had died in 1675, and Charles, who thus became Lord Proprietor, went to England in the early part of the following year, leaving Thomas Notley as Governor.

One chief cause of complaint, not only in Maryland and Virginia, but in all the colonies, was the Navigation Act. This Act decreed that no goods should be imported into or exported from the colonies except in ships built either in England or the colonies and manned by British seamen; and that no sugar, tobacco, cotton, wool, and other products of the colonies should be shipped anywhere except to England or to one of her colonies. The Act was intended to injure Dutch shipping, but its real effect was to injure the trade of the colonies. The Maryland and Virginia planters had sold a large part of their tobacco crops to the Dutch, and now that they could do so no longer the tobacco was left on their hands, or else had to be sold to English merchants at a ruinously low price. At the same time they had to pay more for the goods which they imported from England than they used to pay to the Dutch merchants. In 1662 it was proposed

that no tobacco should be planted in Maryland or Virginia during the next year, and in 1666 such an agreement actually was entered into by Maryland, Virginia, and the Carolinas, but it failed because Lord Baltimore vetoed the Act. The discontent at length grew so fierce that it led, in 1676, in Virginia, to a rebellion at whose head was a

**Bacon's Rebellion
and Its Influence
on Maryland
Affairs, 1676.**

young man named Nathaniel Bacon. Maryland seemed about to follow her sister colony in revolt. Bacon had many sympathizers in Maryland, and two of them, named Davis and Pate, gathering together a force in Calvert County, refused to disband even when Governor Notley promised that their demands should be laid before the next Assembly. Matters were becoming alarming when the rebellion in Virginia came to a sudden end with the death of Bacon. The revolt in Maryland collapsed at once. Davis and Pate were taken and hanged, and peace was restored.

A few years later another cause of trouble arose, this time between the Proprietor and the King. In 1680

**Trouble between
the Proprietor
and the King.**

a certain George Talbot, an Irishman by birth and a kinsman of Lord Baltimore, received the grant of a large tract of land on the Susquehanna River. Four years later, when Lord Baltimore again went to England and left his minor son Benedict Leonard as Governor of the colony, Talbot was put at the head of a commission of Deputy Governors to attend to the business of the office. We have seen that by the charter no taxes could be laid in Maryland by either King or Parliament, but this did not apply to custom-house duties. In collecting these duties the officers of the King frequently came into collision with the Proprietor's

government, and there was much misunderstanding between them. In the year 1684 a small ship of the King's navy was lying at St. Mary's, and on board of her, drinking with the captain, was a certain Christopher Rousby, one of the customs officers. Talbot went on board the ship, and in the quarrel which soon followed stabbed Rousby to the heart. The captain of the vessel carried Talbot off to Virginia and handed him over to the Governor. There he was imprisoned and would surely have been put to death had he not been rescued by his brave wife. She, with only two followers and in mid-winter, sailed the whole length of Chesapeake Bay in a small boat and carried him off to his manor on the Susquehanna. He was pursued immediately, and so hot was the chase that at one time, it is said, he had to hide in a cave on the banks of the river. His only food was the wild fowl brought him by two of his trained hawks. Before long Talbot gave himself up. He was tried and found guilty in 1685, but was saved from death by Lord Baltimore who obtained his pardon from the King.

This incident, and the charges which the King's officers were constantly making that they were hindered in collecting the customs duties and that the King was being defrauded of his dues, led to ill-will towards the Proprietary government on the part of the crown. This was the state of affairs when in 1688 King James II., who was a Catholic, abdicated his throne and was succeeded by the Protestants William and Mary. Lord Baltimore at once sent off a messenger to Maryland telling the Council to proclaim William and Mary; but his messenger died on the voyage, and before a second could arrive in the colony trouble had come. All the other

colonies were proclaiming the new rulers of England, but the Council of Maryland still delayed. Many of the colonists thought this delay was part of a plot by the

**The Revolution
of 1689.**

Catholics in favor of the deposed King James. At length, in July, 1689, a certain

John Coode, a wicked and immoral man, at the head of seven hundred armed followers, drove the Council out of St. Mary's, captured them, and sent word of what he had done to King William in the name of the Protestants of Maryland, asking the King to take charge of the government. Associated with Coode were Nehemiah Blackiston, collector of customs; Kenelm Cheseldyn, speaker of the House; and Colonel Henry Jowles. These men falsely accused the "Papists" of entering into a plot with the Indians to murder all the Protestants in the colony. The King was willing enough to take possession of the colony, and accordingly, in August, 1691, sent out

**Maryland becomes
a Royal Colony,
1691.**

Sir Lionel Copley to be the first royal Governor. The Proprietor no longer had any part in the government of his colony.

All the officers were appointed by the crown, and the laws passed by the Assembly were sent to the King for approval instead of to Lord Baltimore. However, all the rent of land was still paid to Lord Baltimore, and he still was the owner of lands not yet granted to settlers. Moreover he still received the proceeds of a tax on exported tobacco which had been laid for him: this by order of the King, although the Assembly objected to paying it.

The change of government brought about anything but good times for the Marylanders. Everybody, rich and poor alike, was at once taxed forty pounds of tobacco per poll (*i. e.*, per head) to support the Church of Eng-

land. No more Catholics were allowed to enter the colony, nor were those already there permitted to celebrate mass in public. Later on the Catholics were not permitted to worship even in private, nor to have schools or send their children abroad to be educated. For doing these things they might be punished by life-long imprisonment. If a Catholic refused to swear away his religion his estates might be

**The Catholics
are Persecuted.**



THE OLD HOUSE OF BURGESSES AT ANNAPOLIS, NOW USED AS THE
STATE TREASURY.

taken from him and given to his nearest Protestant relation.

It was at this time that the capital of the State was changed from St. Mary's to Annapolis. Here, in 1696, was founded King William School, the first free school in Maryland. In that year the Assembly passed an Act for the establishment of a school in each county of the colony, but for lack of money the school at Annapolis was the only one founded.

**The First Free
School, 1696**

The head of the trustees was Governor Francis Nicholson, who gave a lot of land in the town as a site for the school building, besides money for the building itself. The other trustees also contributed money. The building was completed by the year 1701.

The before-mentioned Coode reappears in this year, 1696. He was elected to the Assembly, but Governor Nicholson refused to let him take his seat because he was, or had been, a clergyman. Enraged at this, Coode again tried to overthrow the government; but he was a man of such bad character that even those who were discontented would have nothing to do with him. He fled from the colony, but afterwards returned and was pardoned. No clergyman of any denomination can sit in the Maryland Assembly. The law forbidding this was taken from the like law of Parliament. It was passed in the early years of the colony when the Jesuit missionaries, who had received large tracts of land from the Indians, began to think themselves free of the common law and subject only to the law of their church. Lord Baltimore (Cecilius) at once took the matter in hand, and from that time to the present day it has been the law that no lands can be given or sold to any religious body without the consent of the Legislature; and, as we have said, no clergyman can be a member of the Assembly. In these two particulars Maryland stands alone of all the States of the Union.

Benedict Calvert, afterwards the fourth Lord Baltimore, became a Protestant, and George I. made him Proprietor in 1715, thus restoring the colony to its former status. He was succeeded by his son Charles, who did much towards easing the condition of the Catholics.

Charles died in 1751, and was succeeded by his son Frederick, the last Lord Baltimore, who died in the year 1771 after an evil and wasted life. The last Governor appointed by Frederick, Sir Robert Eden, remained in office until June 24, 1776, so that from 1715 until the colonies became independent Maryland was again a palatinate. The colony, by the industry of its people, had continued to thrive under the royal Governors despite the fact that England had done nothing to help and much to hinder it; and in 1715 the population numbered about fifty thousand.*

While Frederick was the Proprietor the French and Indian War in America was waged, from 1754 to 1760.

This was a war between France and England for the possession of Canada. The French were aided by the Algonquin Indians, and the English by the Five Nations. At first England left it to the colonies to do the fighting on her side, and each colony thought only of defending itself. Gradually, however, a spirit of union spread among them; and later this spirit, made stronger by the Stamp Act,

* In that year the population of the twelve colonies was as follows:

	Whites.	Blacks.	Total.
Massachusetts,	94,000	2,000	96,000
Virginia,	72,000	23,000	95,000
Maryland,	40,700	9,500	50,200
Connecticut,	46,000	1,500	47,500
Pennsylvania and Delaware, . .	43,300	2,500	45,800
New York,	27,000	4,000	31,000
New Jersey,	21,000	1,500	22,500
South Carolina,	6,250	10,500	16,750
North Carolina,	7,500	3,700	11,200
New Hampshire,	9,500	150	9,650
Rhode Island,	8,500	500	9,000

led to the Revolution and the confederation of the thirteen States. This war helped, too, towards the independence of the colonies by giving their men experience in fighting battles and training them as soldiers.

In 1756 the population of Maryland numbered 107,963 whites, and 46,225 negroes. There were 26,000 whites fit for soldiers; and there were, in fact, about 16,000 enrolled in the militia. One-third of these, however, had no arms at all, and none of them were equipped in a proper manner. Then, too, Maryland had no forts that were worth anything for defense, and the French with their Indian allies might march into the colony



INDIAN WARRIOR.

from their settlements in the West, capture the country and kill the people. This was terrible to think of, for the Indians were fierce and cruel, torturing their captives and killing men, women, and children alike. Indeed the

Indians came into Western Maryland many times, burning the houses of the settlers in Frederick County, and either killing the inhabitants or carrying them off into captivity. Some of the terrified settlers abandoned their farms and fled to the more thickly populated parts of the colony. After the defeat of General Braddock, who had been sent out from England to command the forces, some of the

**Indian Raids in
Western Maryland.**

Indians came to within eighty miles of Baltimore where the women and children were put on boats to be ready to escape. When Braddock arrived he hoped to raise money and supplies in all the colonies, but the Maryland Assembly gave only £6,000 (Virginia gave £100,000) and a few soldiers. They gave this grudgingly after much delay and many disputes with the Governor, who did all in his power to help General Braddock. Braddock was



OLD FORT FREDERICK.

defeated and killed, and if the French had followed up their victory they probably could have captured the whole of Maryland. Fortunately the northern colonies had begun to attack the French, who were compelled to send most of their troops back to Canada; so that Maryland was saved in spite of the meanness and obstinacy of the Assembly.

There was still danger in the West from the Indians, and the Assembly at length voted £40,000 for defense:

but even in doing it they managed to put in something to the disadvantage of Lord Baltimore. He, as the Proprietor of the colony, received from every one who owned land a small "quit-rent," as it was called, a small sum of money, and of course paid no rent to himself for lands which he still held as his own. When the Assembly voted the £40,000 they laid a tax on land to raise part of the money and wished Lord Baltimore to pay the tax on all of his land that had not been granted to some one else. The amount he would have to pay was not very large, but Frederick Calvert* thought only of getting out of his colony all the money he could. We may feel sure that if George or Cecilius had been the Proprietor at that time, he would have given of his own free will much more than the Assembly had to force from Frederick. Surely the Proprietor ought to have been willing to share in the expense of defending his colony; but on the other hand the Assembly was more in the wrong to run the risk of having innocent men, not to say women and children, killed and tortured, by refusing to pass a straightforward Act to raise money for their defense. In the end Lord Baltimore, through Governor Sharpe, had to yield, and several matters concerning taxation that had made dissension between the Assembly and the Proprietor were decided in favor of the former.

* Frederick Calvert was succeeded as Proprietor of Maryland by his natural son, Henry Harford. There were thus six Lords Proprietary of Maryland: 1632, Cecilius Calvert; 1675, Charles Calvert; 1715, Benedict Leonard Calvert; 1715, Charles Calvert; 1751, Frederick Calvert; 1771, Henry Harford. The first Lord Baltimore, George Calvert, was not a Proprietor, and the last Proprietor, Henry Harford, was not a Lord Baltimore.

CHAPTER IV.

MANNERS AND CUSTOMS OF THE COLONIAL PERIOD.

We have seen that the first colonists bought the site of St. Mary's from the Indians who already had a village there. These Indians belonged to the Pascataway tribes and were always friendly to the whites. At the head of Chesapeake Bay lived a more war-like nation, the Susquehannoughs, and in the East the Nanticokes. With these, as well as with the

**Absence of
Indian Wars.**

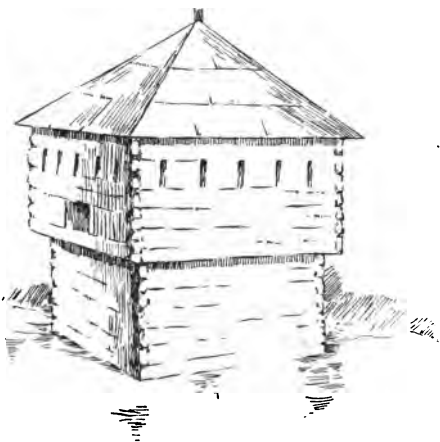


INDIAN AGRICULTURAL
AXE.

peaceful Pascataways, there was very little serious trouble beyond the occasional murder of a poor settler living on the outskirts, or his wife and children. There were no long and bloody wars such as were fought in other colonies, and this was largely due to the fairness with which the Indians were always treated. One of the Governors and his high officers even took part in the election of an Indian emperor, the successor of Uttapoingassinem; and some twenty years before another emperor, his queen, and his little son had been baptized. Afterwards this emperor and empress were married according to the Christian rites. The Pascataways seem to have died out gradually, while the Susquehannoughs were so weakened by attacks of smallpox and wars with their fierce neigh-

bors to the North, the Senecas and Cayugas, that they at last fled southward into Virginia. In their flight they were pursued by their enemies, the Senecas, who, while on the warpath did some damage to the plantations of the whites. The blame for this was laid on the Susquehannoughs, and in punishment their chiefs were massacred by the Virginia militia. The small remnant of the tribe returned to their old home on the Susquehanna River, and submitted to their Indian enemies. They lived on for about a hundred years, until, in 1763, the few remaining were massacred by the whites in Lancaster County, Pennsylvania.

The peacefulness of the Indians had much to do with the way in which Maryland was settled. In New England, where the Indians might make an attack at almost any moment, the settlers naturally kept close together in towns and villages, where they could take refuge in a fort or block-house and defend themselves; but



BLOCK-HOUSE.

**Scattered
Settlements.**

in Maryland, where there was no need of this defense, they spread themselves out over the country, each family living on its own farm or plantation remote from the others. Even St. Mary's, where the courts were held and public business attended

to, never had more than sixty houses, and these were scattered for five miles along the shore.

For the first ninety years St. Mary's and Annapolis were the only real towns. Then came Joppa, on the Gunpowder River, which flourished after a fashion for fifty years, only to die away as its trade passed into the hands of the town of Baltimore.



LAYING OUT OF BALTIMORE TOWN IN 1730.

Before the present Baltimore was founded two other towns of that name had appeared, or rather had been made on paper and staked out, one* on the Bush River in Baltimore County in 1683, and another in Dorchester

*There is still a boat-landing on the Bush River, called "Old Baltimore." This landing seems to float up and down the river.

County. In the year 1729 the Assembly passed a law giving the planters near the Patapsco permission to buy land on that river to make a port for their vessels. The

Baltimore site of the town was first surveyed in 1730.
Founded, Sixty acres of land, situated where the Basin
1730. now is, were bought of Charles and Daniel

Carroll for forty shillings an acre. The town at the end of twenty years had only about twenty houses and one hundred inhabitants, but by the end of the Revolution it had grown to be a beautiful town. Market Street,



BALTIMORE IN 1752.

(From a sketch by John Moale in the possession of the Maryland Historical Society.)

lined with houses brightly colored in blue, white and blue, or yellow, was the longest, gayest, and most beautiful

Annapolis street of any city in the country. For many
the Chief years Annapolis was the chief town. It was
Town. small, but was beautifully laid out, and

although originally a Puritan settlement, it became in course of time a centre of gayety. Balls were given, race meets were held, and the homes of the wealthy planters, such as the Carrolls, the Pacas, and others, were noted

for their hospitality. In this town was published the first newspaper in the colony, the *Gazette*, begun in 1727; and here was established also the earliest theatre, whose first play-bill appeared in the *Gazette* of July 2, 1752. The town was famous for its beautiful women, a fame which it has shared with the rest of the State.



STATE HOUSE, ANNAPOLIS.

The friendliness of the Indians was not the only, nor perhaps the chief reason for the lack of towns in Maryland. Chesapeake Bay with its rivers, creeks, and inlets, had probably more to do with the slow growth of towns than any other cause. The planters and farmers in their canoes or pungies could travel about easily and quickly

**Chesapeake Bay
the Great Highway.**

from place to place, and could thus talk business or pleasure at each other's homes instead of at the town. Almost every plantation lay along the water and had its own "landing," or wharf. To these landings the tobacco and other things grown were taken, and there the vessels came from England or the other colonies to unload goods and take in cargo. Horses were plentiful, too; everybody



FIRST COURT HOUSE IN BALTIMORE.

(From an old print in the possession of the Maryland Historical Society.)

rode, and communication on land was easy by paths and bridle-tracks, but there were very few carriages and almost no roads. Rolling-roads were a feature of both Maryland and Virginia. They were narrow roads cut through the forest and leading to some river or the Bay shore. A hogshead of tobacco, fitted with axle and shafts,

would itself form a cart to be rolled down one of these roads and loaded on a ship for England. The first post route in the State was established in 1695. It ran from the Potomac, through Annapolis, to Philadelphia, and over it the mails were carried eight times a year.

Almost every colonist was a farmer. There were a few who had manors of 2,000 to 20,000 acres; others with plantations of as much as 1,000 acres; and many more with homesteads of 50 to 100 acres each. You have all probably seen some old place in the country which

**Most of the
Colonists
Farmers.**

is called "the Manor;" and these places are for the most part the remains of the old Maryland manors. When Lord Baltimore

granted to anyone a large estate of 2,000 acres or more, he made the estate a manor; that is, the estate became a sort of little state within the larger State of Maryland;

**Old Maryland
Manors.**

and its owner, together with the freemen on it, passed by-laws and held law courts to punish thieves, poachers, and other evil-doers. "In the life upon these manors there was a kind of patriarchal completeness; each was a little world in itself. There was the great house with its generous dining-hall, its paneled wainscoat, and its family portraits; there was the chapel, with the graves of the lord's family beneath its pavement and the graves of common folk out in the churchyard; there were the smoke-houses, and the cabins of negro slaves; and here and there one might come upon the dwellings of white freehold tenants, with ample land about them held on leases of one-and-twenty years. In establishing these manors, Lord Baltimore had an eye to the military defense of his colony. It was enacted in 1641 that the grant of a manor should

be the reward for every settler who should bring with him from England twenty able-bodied men, each armed with a musket, a sword and belt, a bandelier and flask, ten pounds of powder, and forty pounds of bullets and shot.”* Any one of the first lot of colonists who brought over five men, received two thousand acres of land for which he paid a rent of four hundred pounds of wheat per year; one who came between 1634 and 1635 and brought over ten men, received the same number of acres at a rent of six hundred pounds of wheat; those who came later or brought fewer men received proportionately smaller lots of land. These manors continued for some time until the wealthy planters began to own large numbers of slaves, when they found they could make their estates pay better by working the whole of them with slaves than they could by renting separate farms to free white men. Thus the manors gradually lost their meaning and are now left only in names.

Whether the farm were large or small the life on it was much the same. The colonists visited and entertained each other; and if a stranger came into the country, from England, let us say, he could hardly get away again they were so glad to have him, to hear from him the news of what was happening in the Old World. Hospitality was so widespread that even an inn-keeper had to notify his guests if he intended to charge them for what he served; otherwise he could not collect his bill. Here is the way a certain Ebenezer Cook, a tobacco buyer, or as he calls himself a “sot-weed factor,” describes his visit to Maryland in 1700:

**Universal
Hospitality.**

* Fiske, “Old Virginia and Her Neighbours,” vol. ii, p. 147.

"So after hearty Entertainment
 Of Drink and Victuals without payment;
 For Planters' Tables, you must know,
 Are free for all that come and go.
 While Pon and Milk, with Mush well stoar'd,
 In Wooden Dishes grac'd the Board;
 With Homine and Syder-pap,
 (Which scarce a hungry dog would lap)
 Well stuff'd with Fat from Bacon fry'd,
 Or with Mollossus dulcify'd.
 Then out our Landlord pulls a Pouch
 As greasy as the Leather Couch
 On which he sat, and straight begun
 To load with Weed his Indian Gun

.
 His Pipe smoak'd out, with awful Grace,

.
 The reverend Sire walks to a Chest;

.
 From thence he lugs a Cag of Rum."

Mr. Cook doesn't seem to have enjoyed his supper of corn-pone and hominy, but in the morning

"I did to Planter's Booth repair,
 And there at Breakfast nobly Fare
 On rashier broil'd of infant Bear:
 I thought the Cub delicious Meat,
 Which ne'er did ought but Chesnuts eat."

He had had very little rest the night before; for, as he says,

"Not yet from Plagues exempted quite,
 The Curst Muskitoes did me bite."

He found the settlers more than a match for him in business dealings, and altogether had a great deal to complain of.

The houses were for the most part small and built of logs, but some belonging to the rich planters were built of brick. The log cabins were often fastened together with wooden pegs, as nails, like everything else made of iron, were costly. Sometimes a man, when he removed to a

**The Houses and
their Furniture.**



CARROLL MANSION AT CARROLL PARK.

new neighborhood, would burn down his log house in order to gather up the iron nails from the ashes. Door hinges were made of leather. As the colony became more thickly settled and saw-mills more common, houses were made of boards; until finally noble residences, such as Doughoregan Manor, the home of the Carrolls, and Wye Hall, the home of the Pacas, were built.

Their furniture, what they had of it, was mostly imported. Some of the richer folk had a small supply of silver tankards, salt-cellars, candle-sticks, and spoons, but rarely forks until later. Forks were first brought to America in 1633. In that year Governor Winthrop, of Massachusetts, received *one*. Pewter was much more common than silver, and the poorer people used wooden trenchers (flat bowls) and wooden spoons. China was not common, and glass was rare.

The first lights used were pine-knots of the pitch-pine; later, candles were made of tallow, wax, and the "candle-berry" or bay-berry. Lamps of pewter and of glass, burning whale oil, were sometimes used. As a matter of course the fuel used was wood. Great logs burned in vast fireplaces at first, but as the forests were gradually cleared the size of both log and fireplace was much reduced. In the kitchen a bar of wood or iron stretched across the fireplace, and from it hung chains and pothooks of various lengths with big and little pots and kettles of iron or brass. Kettles, gridirons and skillets had long legs to keep them from sinking too deep in the hot coals; while toasting-forks, waffle-irons, and such implements had very long handles so that one cooking might not be too near the blazing heat. Baking was done in bake-kettles, which stood in the hot ashes; in Dutch ovens, which were metal boxes open on one side, and placed with the opening toward the fire; or in the brick oven. This last was a sort of little fireplace built alongside of the great one. It was filled with wood which burned until the bricks were thoroughly heated; then the ashes were raked out and the oven was ready for use.

In some houses were found libraries, and in many more packs of hounds; for fox-hunting was a favorite amusement. The runs were often very long, and if a hunter found himself too far away from home at night-fall, he would go to the nearest planter's house, where everybody would dance, play cards, drink punch, and have a jolly time for the rest of the night. There were other sports: horse-races were held at five or six places, there were frequent bull-baitings, and cock-fighting went on very nearly all the time.

There was game in plenty: deer, bears, wolves, wild turkeys weighing thirty or forty pounds, and ducks and other water-fowl by the thousand. It is related that Captain John Smith and two companions, firing together, one shot apiece, killed one hundred and forty-eight ducks. Flocks of ducks a mile wide and seven miles long floated on the waters of the Chesapeake. Curiously enough we do not read of the early settlers eating crabs and terrapin, but they learned before long to appreciate the latter. Once some of them complained that when their supply of corn was cut off they were compelled to eat oysters. Some of these oysters and crabs were twelve inches long, but large shell-fish were not confined to the waters of Maryland; for it is reported that lobsters six feet long were caught at New York. Fish abounded, and it is said that horses in crossing a stream would tread on them and kill them.

**Abundance
of Game.**

On the farms they raised wheat, corn and various fruits and vegetables, but principally tobacco. Everyone grew tobacco, even to the neglect of other things and other occupations. One reason for this was that tobacco was used as money. A

**Tobacco the
Chief Product.**

horse was worth, not so many dollars or pounds sterling, but so many hundred pounds of tobacco; wages, rents, taxes, everything was paid in tobacco. A man would say to himself, "I will raise a big crop of tobacco and so shall be rich and able to buy a lot of things that I want;" but the trouble was that everyone else said and did the same, and tobacco would then

Is Used as Money.



TOBACCO PLANT.

be so plentiful that a thing which used to be worth one hundred pounds of tobacco would now be worth two hundred or three hundred pounds. It is of no advantage to earn twice as much as we used to earn if all we buy costs three times as much as formerly. Tobacco money worked badly in other ways: for instance, suppose a man rented a farm for two thousand pounds of tobacco, and suppose so much tobacco was raised that it became worth only half as much as before; then, you see, his landlord was really receiving, in value, only half the rent agreed upon, and was not being treated fairly or honestly. Such a state of affairs would be unjust, not only to the landlords, but equally so to anyone working for a salary or for wages. Besides all this, tobacco is a crop that exhausts the soil, making it so poor that in time nothing will grow in it.

Lord Baltimore had the right to coin money, and indeed, about the year 1661, he sent to the colony a supply of shillings, sixpences, and groats, taking tobacco in exchange for it. But the colonists found it convenient to

pay their taxes with the silver which thus found its way back to Lord Baltimore again, and the tobacco-money evil was not remedied.

The soil that tobacco was impoverishing was a rich one; taken in connection with the mild and genial climate it made of Maryland a singularly favored land. The State has the advantages of both North and South, so that figs, peaches and magnolias grow alongside of



COLONIAL NOTE.

apples, hemlocks, and pines. The State is rich in minerals and metals, notably in coal, though, of course, the early settlers made no use of that. In fact, **Climate and Soil.** Maryland seems to have a share of nearly all the good things of this earth, and unfortunately some of the evils, too; for the colonists soon discovered, what Marylanders still know, that fevers, ague, and mosquitoes hover around the marshes of the Bay shore.

We have said that in the first lot of settlers were twenty "gentlemen adventurers," and three hundred

laborers; and we have spoken of freemen, servants, and slaves. Let us now try to get a clear idea of these different classes. In the first place, there were a few rich men who brought over other settlers, together with guns, tools, and goods, and who received large estates. There were others who were poor, and who brought over little except themselves, and sometimes their families, to whom were given farms of fifty to one hundred acres each; unless they had learned a trade, such as blacksmithing, carpentry or shoemaking, in which case they received perhaps two or three hundred acres.

**Classes of
Settlers :
Planters and
Freemen.**

There were still others who were too poor to pay for their passage to the New World. These were carried over by the owner of some vessel, and on their arrival in the colony were sold to one of the planters for a term of years, usually two, three, or four, the price they brought going to the ship-owner to pay for their passage. They were called "redemptioners," and were for the most part hard-working, honest men and women. Indeed many of them were gentlemen, and they were often employed as teachers for the planters' children. While their term of service lasted they were usually treated kindly; and at the end of it they became freemen, received from their master a year's provisions, besides tools and clothing, and could begin farming for themselves on fifty acres of land. What they received depended somewhat on the generosity of their master; but by law they were entitled to "one cap or hat, one new cloth or frieze suit, one shirt, one pair shoes and stockings, one axe, one broad and one narrow hoe, fifty acres

land, and three barrels of corn.”* Women who came over in this way became domestic servants, or else married freemen who were only too glad to get them for wives. A certain George Alsop, who was one of these redemptioners bound for four years, writes, on his arrival in Maryland, to a friend in England, thus: “I am now upon land and had I known my yoak would have been so easie I would have been here long before now.” And again, in a letter to his father in the old country he says, “The Servant of this Province, which are stigmatiz’d for Slaves by the vulgar in England, live more like Freemen than the most Mechanick Apprentices in London, wanting for nothing that is convenient and necessary, and are extraordinary well used and respected.”

A fourth class of settlers were the convicts. One of these might be anything from a Jacobite plotter down to
Convicts. a common pickpocket or highwayman. In those days evil-doers were punished much more severely than they are now, and crimes for which one would now be sent to prison for a few months or years, were then punished by hanging. Many people thought the laws too severe, and criminals often had their sentences commuted: instead of being hanged they were transported to the colonies for seven or fourteen years. England was more glad to be rid of these people than the colonies were to receive them, and Maryland protested against their being sent to her shores, but without avail. However, there were probably many more redemptioners than convicts brought over.

*Decision of the Provincial Court in 1648.

Finally there were the negro slaves* who were owned outright by their masters, and who did not become free after a service of so many years. The number of these was not large until after the year 1713. The law regulated their treatment, and a master who was **Negro Slaves.** cruel to his slave was punished; but they were a race apart, and if a white woman married a negro she was looked upon as a negress herself and became the slave of the negro's master. Even in those early days there was much difference of opinion about the negroes, some people thinking they should all be set free, others thinking it right to keep them in slavery; and we shall see that when the same question came up later the people of Maryland were about equally divided on it.

These were the different classes of people in Maryland before the Revolution, and we must remember that they were well-marked classes. Every man had his rights and even a slave had to be treated kindly, but the wealthy planters formed an aristocracy not unlike that of England at the present day. They were better educated and more refined than the small farmers and tradesmen, were usually of good and sometimes of noble birth, and lived a social life apart from these. If a planter went to an inn he was shown to the parlor, a tradesman and **Social Distinctions:** his wife went to the kitchen or tap-room; **Growth of** but by the year 1776 this state of things **Democratic Spirit.** was much changed. In the first place, all the people were becoming united in a common cause against Great Britain; they all suffered the same taxes and oppression, and in meeting together to oppose injustice from the

* For a fuller account of the negroes in Maryland, see p. 122, following.

mother country they forgot their differences of wealth, education, and birth. Then, too, the Maryland planters began to grow more wheat and less tobacco. Now, tobacco is a crop that can be grown well by slaves, while wheat can be better grown by free laborers, so that more of the free whites were gradually employed; and the feeling of aristocracy is much less strong when one has free-men working for him than when his work is done by negro slaves. This change of feeling did not take place all at once but in the course of years; and indeed, during the Revolution and for some time afterwards, there was still a marked difference in the classes of people in Maryland.

For a long time all the settlers lived in tide-water Maryland; that is, along the shores of Chesapeake Bay and the rivers emptying into it; but farther back in the country roamed bands of rangers and back-
Rangers and
Backwoodsmen. woodsmen, who lived by hunting and fishing and who dressed and even fought like Indians. They lived in cabins built of logs, the cracks between the logs stopped up with clay or mortar, and with the chimney built on the outside. The floor was of clay, and the beds were often bear-skins spread on the floor. Their chairs were blocks of wood, they ate from wooden platters, and considered themselves rich if they had a few pewter cups and spoons. They were fine shots with their old-fashioned rifles, and as they hunted game for food and furs they kept constantly moving farther into the wilderness to the west and marking out the way for the settlers who came after them. Many of these Western settlers were Germans, who, for the most part, came into Maryland through Pennsylvania. At first they were few

and scattered, but in 1735 an organized colony, led by John Thomas Schley, settled in the neighborhood of Frederick. This leader, an excellent school master and a devout man, spared himself no pains in working for the settlement. It was he who built the first house in the town of Frederick, which was laid out in 1745. From



BRICE HOUSE, ANNAPOLIS.

him is descended Admiral Winfield Scott Schley, famous in the late war with Spain.

Hagerstown, also, was founded by Germans. In 1739 Jonathan Hagar made a settlement there, and in 1769 the town was laid out. He called the town after his wife, Elizabeth Town, but almost from the beginning people gave it the name of its founder.

CHAPTER V.

THE REVOLUTION UP TO THE TIME OF INDEPENDENCE.

As we have seen, the French and Indian War had partially united the colonies for purposes of defense, and had paved the way for that closer union which led at last to their independence.

**Causes of Union
and of Discontent.**

There were many causes which acted to make the colonies dissatisfied with England, and to bring them closer together. We have already mentioned the Navigation Act,* and in Maryland another of these causes was the poll tax that everyone, regardless of creed, had to pay for the support of the Church of England. Still another—in the other colonies as well as in Maryland—

The Stamp Act. was the Stamp Act. This was an Act passed by the British Parliament in 1765, requiring that stamped paper be used for certain specified purposes. For example, the tax on a license to sell wine was twenty shillings; the tax on a deed was one shilling six pence; that on a newspaper one penny. These taxes were of the same kind as those laid by our own government in 1898 requiring a two-cent stamp on every bank cheque, a one-cent stamp on every telegram, and so on. But with this difference: we recognize the present stamp taxes to be laid on us by our own representatives for the expenses of our own government; while the colonists in 1765 looked upon their stamp taxes as laid by others than themselves

* See *ante*, p. 28.

for the benefit of the British government, and not for their own good. It was "taxation without representation."

Zachariah Hood, a Marylander, brought a lot of the stamped paper from England and was appointed the officer to sell it in the colony. When he arrived, however, the people would not permit any of the paper to be



THE PEGGY STEWART HOUSE, ANNAPOLIS.

sold, but shipped it back in another vessel. In Baltimore, Annapolis, and other towns, effigies of Hood were hauled

**No Stamped
Paper Allowed
to be Sold.**

in carts, a halter around the neck, were tarred and feathered, whipped and hanged.

His house in Annapolis was torn down, and he had to make his escape to New York to put himself under the protection of General Gage. Even there he

was compelled to resign his office and promise never again to try to sell the stamps.

All classes of the people joined in the opposition. Daniel Dulany, of Annapolis, who was then one of the foremost lawyers of America, published a book arguing that the Stamp Act was entirely illegal. Societies called Sons of Liberty were formed in the various colonies to oppose the Act, and in Maryland they compelled the courts to transact all business without stamped paper. The *Maryland Gazette* on October 10 was put into mourning, with a skull and cross-bones in the place where the stamp should have gone. The Assembly also acted, and appointed three delegates, Edward Tilghman, William Murdock and Thomas Ringgold, to the Congress held in New York, through which the colonies petitioned the King and Parliament to remove the stamp taxes.

So much opposition at length compelled Parliament to repeal the Stamp Act, but almost immediately it laid a new tax on tea and many other articles of import. All the colonies opposed these new taxes as strongly as they did the Stamp Act; and Maryland Non-Importation Societies Formed. joined the others in the agreement not to use any tea, or any other articles on which taxes were laid, until the tax was removed. Gentlemen even wore home-spun clothes instead of the silks and fine stuffs they had been accustomed to. This agreement Maryland kept until the war began, although the other colonies had by that time abandoned it.

Nevertheless, some merchants in the colony attempted to evade the non-importation agreement. On October

15, 1774, the brig Peggy Stewart, with a cargo of tea for Williams & Co., entered the harbor of Annapolis, and

**The Peggy Stewart
and her Cargo of Tea,
October 19, 1774.**

the owner of the vessel, Mr. Anthony Stewart, a member of the non-importation society, paid the duty. This so incensed the people of Anne Arundel County that some of the more violent among them proposed to tar and feather Mr. Stewart, although he had already publicly apologized and confessed that he had done wrong. He and Joseph and James Williams, the owners of the tea, signed a paper acknowledging that they had insulted the people of the colony by their conduct and promising not only never to repeat the offense but also to burn all the seventeen packages of tea. This, however, was not enough to satisfy the people. Accordingly, on October 19, four days after her arrival, the Peggy Stewart was run aground on Windmill Point where Stewart himself set fire to her, and she with her cargo was burned to the water's edge.

Almost a year before this in Boston, Philadelphia, and Charleston, cargoes of tea had been either destroyed or returned to England. King George III. and his ministers were enraged at these doings of the colonies, and looking upon Boston as a "hot-bed of rebellion," determined to make an example of that city. They thought the other colonies would not come to the aid of Massachusetts, and that she would be afraid alone to offer resistance. Early in the year 1774, therefore, Parliament passed an Act annulling the charter of Massachusetts and closing the port of Boston. The port of Boston was closed on June 1, and on June 22 a convention of delegates from every county of Maryland was held at Annapolis.



BURNING OF THE PEGGY STEWART.

(From the painting by Frank B. Mayer, at the State House, Annapolis.)

The convention passed resolutions denouncing the action of Parliament and expressing sympathy for Boston. Subscriptions were taken up throughout the colony, and shiploads of corn, rye-bread, and other supplies were sent to relieve the poor of Boston.

The people everywhere had begun to collect arms and ammunition; not only to fight for themselves, but to help Boston, too, if it should need help. The Marylanders thought that enough talking had already been done and that the time had come for fighting. As Charles Carroll, of Carrollton, wrote: "And do you think that



CHARLES CARROLL, OF CARROLLTON.

our pens are to settle this mighty question? The people know their rights—knowledge is resistance—and our only umpire is the God of battles!" Committees of Correspondence had been organized in the different colonies to keep them in touch with one another and to form plans for better resisting the tyranny of England, and in June, 1774, the Maryland committee had written to that of Virginia

proposing that a general Congress be held in Philadelphia. The colonies agreed to this, and the Congress met on September 5, in Carpenter's Hall, in Philadelphia. The delegates sent by Maryland were Robert Goldsborough, William Paca, Samuel Chase, and Matthew Tilghman.

Our State, like the other colonies, had in the early part of this struggle no idea of becoming independent of Great Britain, and was striving and ready to fight only for what she considered her rights under that government. Maryland was conservative; that is, she wanted

**Maryland's
Conservatism.**

to keep all she had that was good until she felt sure that what was to take its place was better. Moreover the Proprietary government had been wise and good on the whole, and Robert Eden, who was then Governor, had the respect and affection of everyone. There was no British army invading her shores and occupying her towns as in Massachusetts, North Carolina and Virginia, so that her desire for independence arose more from sympathy with the other colonies than from her own needs. Thus she was rather slow in joining the other colonies in declaring their independence. At length, early in the

year 1776, Samuel Chase left Congress and came to Maryland, where, aided by Charles Carroll, of Carrollton, he

**Maryland Concurs
in Declaring the
Independence of
the Colonies,
June 28, 1776.**

showed the people that the time had come when they should free themselves from the rule of the mother country. A new convention was elected which, on June 28, 1776, gave its delegates in Congress power "to concur with the other United Colonies, or a majority of them, in declaring the said Colonies free and



SAMUEL CHASE.

independent States." Maryland was the twelfth colony formally to concur in independence, and the Declaration of Independence was signed on the part of Maryland by Samuel Chase, William Paca, Thomas Stone, and Charles Carroll, of Carrollton. This same State Convention, on July 6, before it had heard of the Declaration of Independence of Congress, proclaimed the independence of Maryland.

When Maryland declared its independence of Great Britain the Proprietary government was by that very act destroyed. Maryland the colony no longer existed, and Maryland the State had to proceed forthwith to organize a new government for itself. On the first of August,

**First Constitutional
Convention,
August 14, 1776.**

1776, delegates were elected throughout the State to a convention for the purpose of drawing up a Constitution.

The convention met at Annapolis on the 14th of August and elected Matthew Tilghman president. The people of Prince George's County had permitted "every taxable freeman bearing arms" to vote at the election, but the law in Maryland allowed only those owning a certain amount of property* to vote. Differences of the same kind occurred in Kent and Frederick Counties. New elections were ordered in those places, and the delegates then chosen took their seats in the convention. Early in the

**Constitution and
Bill of Rights
Adopted,
November, 1776.**

following November the Constitution was adopted, after being thoroughly discussed by the convention and the people. By this Constitution the Legislature of the State, called the General Assembly of Maryland, was

* A freehold of fifty acres or a personal estate of forty pounds sterling.

divided into two chambers, the Senate and the House of Delegates. The chief executive of the State, the Governor, had no voice in the making of laws and had no veto power. In order to have the right to vote a man must have been a resident of the State for at least one year, must be twenty-one years of age, and must own a freehold of fifty acres in the county of his residence, or property within the State to the value of thirty pounds.

**Provisions of the
Constitution.**

By this law freemen were allowed to vote whether they were colored or white.

In 1802 the property qualification was abolished, but the franchise was given only to white persons. The required length of residence was changed in 1810, and the law thus modified remains in force to the present day, except that the franchise is now exercised without regard to color.* The House of Delegates was composed of eighty members; four from each of the nineteen counties, and two each from Annapolis and Baltimore. The Senate consisted of fifteen members, nine of whom were to be residents of the Western Shore and six of the Eastern. To be eligible as a Delegate a person must own an estate of five hundred pounds; as a Senator must own property of more than one thousand pounds in value. The Delegates were elected directly by the people; the Senators indirectly through an electoral college composed of two members from each county and one from each of the cities of Annapolis and Baltimore. The Governor was elected by the Legislature on joint ballot, and could not hold office for more than three years in succession. To be eligible for Governor a person must be not less than twenty-five years of age, and must own

* See p. 156, following.

in the State property of over five thousand pounds in value, of which at least one thousand pounds must be a freehold estate. The Delegates and the Governor were elected for one year, the Senators for five years. The two houses of the Legislature together elected each year five men as a Council to the Governor; the two houses also elected members of Congress.* Provision was also made for courts of law and for the election or appointment of

**First General
Assembly of the
State of Maryland,
February 5, 1777.**

minor officers. Religious freedom was assured in the Declaration of Rights. The first elections under the new Constitution were held in November and December, 1776, and the first meeting of the General Assembly took place in the following February. Thomas Johnson was elected Governor, and was inaugurated at Annapolis on March 21 with great pomp. After the ceremony there

was a banquet at which thirteen patriotic toasts were drunk, one for each State, and in the evening a ball and illumination were given.



THOMAS JOHNSON.

One curious result of the separation of the colonies from Great Britain was that the Episcopal Church in America was left without organization. It had formerly been a part of the Church of England and was supported by government, but after the colonies became inde-

* See p. 110, following.

pendent it was disestablished. There were no bishops of the church in America, and consequently candidates for the priesthood could not be ordained. In 1784, Mason Weems, a young man from Maryland who was a divinity student in England, applied to several English bishops for admission to holy orders, but was refused. Finally the Archbishop of Canterbury told him that nothing could be done without an Act of Parliament, because all clergymen had to take the oath of



JOHN THOMAS CLAGGETT, D.D.
FIRST EPISCOPAL BISHOP OF MARYLAND.

allegiance to the King of England. Such an act of Parliament was passed before long. When the diocese of Maryland was organized, John Thomas Claggett was elected its first bishop. He was consecrated at New York, in 1792.

In the same year in which Weems was seeking to be ordained, John Wesley sent Thomas Coke from England to be superintendent of the Methodist societies in America, and gave him authority to consecrate Francis Asbury to the same office. This ordination took place at a conference held at Baltimore in December, 1784. A few years later the American Conference altered the title of "superintendent" to "bishop," and the Methodist Church became independent of the Church of England, but without the approval of Wesley. In 1784 there were some twenty thou-



FRANCIS ASBURY.

sand Catholics in Maryland; in 1786 the Pope appointed John Carroll, a cousin of Charles Carroll, of Carrollton, as his apostolic vicar. He was afterward made Bishop of Baltimore and Archbishop of the United States. The other churches have independent organizations and no bishops, so that such difficulties did not arise in their case.

Now that the Revolution was fairly begun Maryland took an active part in it, and kept up the fame of her old

**Maryland's Attitude
Towards Foreign
Allies.**

hospitality by giving banquets to nearly all the distinguished foreigners who came to help the colonies. She welcomed them in more serious ways, too, and Lafayette speaks very warmly of all that Maryland and Baltimore did for him. Count Pulaski raised a corps in Maryland, for the most part in Baltimore, which fought valiantly under him until he was killed at the siege of Savannah. It was this corps that carried the small banner of crim-



JOHN CARROLL,
FIRST ROMAN CATHOLIC BISHOP
OF MARYLAND.

son silk made and embroidered for Pulaski by the Moravian Sisters of Bethlehem, Pennsylvania. Faded and worn the banner is now in the rooms of the Maryland Historical Society. Baron de Kalb commanded the Maryland Line until his death at the battle of Camden, and it is said that while dying he praised the bravery of the Maryland regiment and its officers. The statesmen of Maryland saw the im-

portance to their cause of foreign allies, and Samuel Chase was the first man to move in Congress that am-

bassadors be sent to France. He and Charles Carroll were two of the three commissioners sent by Congress to Canada to persuade her to join the colonies in their struggle.

Maryland welcomed foreign allies, but she was also true to her leaders at home. It was Thomas Johnson, first Governor of the State of Maryland, who as a delegate to the Continental Congress when it met for the second time in May, 1775, formally nominated George Washington as Commander-in-Chief of the Continental Army. Maryland stood by Washington throughout the war, in battle and in the plots that were formed against him; she was faithful to him in success and in defeat, she furnished him with food and supplies, and no State sent more troops in proportion to its population to his army.

**Washington Firmly
Supported by
Maryland.**



CHAPTER VI.

MARYLAND IN THE REVOLUTIONARY WAR.

The first of the Maryland troops to join Washington's army was a company of riflemen, commanded by **Cresap's Riflemen.** Captain Michael Cresap, which left Frederick on July 18, and arrived at Cambridge, Massachusetts, on August 9, 1775. They were armed with tomahawks and rifles, and wore hunting shirts and moccasins. They were expert shots, and while stationed at Roxbury, to the south of Boston, would pick off at long range any British officers or men who exposed themselves. Cresap, who was born in Alleghany County, died in New York City, October 18, 1775, while on his return from the army at Boston, and was buried in Trinity churchyard.

Maryland's quota of troops was 3,405 men; and a regiment of these, commanded by Colonel William Smallwood, joined the army at New York, where they were attached to Lord Stirling's brigade. The Maryland troops were Washington's favorites and deserved to be. He knew he could rely upon them, that they would stand firm and do their duty; and for personal bravery they had no superiors in the army. At the battle of Long Island Stirling chose a band of four hundred Marylanders, commanded by Major Mordecai Gist, and kept in check five times that number of the enemy until the remainder of his division, who were retreating, succeeded in crossing the marshes behind them

**Four Hundred
Marylanders at the
Battle of Long Island,
August 27, 1776.**

into safety. Muskets and cannon were firing on the four hundred from all sides, but as fast as some fell the others closed up the ranks and still faced the enemy. Time and again those that were left flung themselves upon the enemy, until more than half their number were captured or dead. The rest of the army was saved, but at the cost



BATTLE OF LONG ISLAND.

of two hundred and fifty of its bravest and best drilled soldiers.

After the campaign around New York had ended so badly as it did for the Americans, General Howe offered to pardon all "rebels" who should lay down their arms. Great numbers—about three thousand persons in the course of ten days—in New Jersey and Pennsylv-

vania did so, but Maryland on the contrary made extra efforts to aid Washington in his difficulty by raising for him more troops and supplies, and her soldiers did him good service in his victories in New Jersey. In the year 1777 Washington wrote to Governor Johnson asking for

**The State Furnishes
More than Her
Quota of Troops.**

still more troops, and the State raised five more regiments of infantry, making in all seven regiments out of forty-three that formed his entire army fit for service. This was more than twice as many regiments as Maryland should have furnished if all the thirteen colonies had shared alike. It must not be supposed, however, that all the people of Maryland were supporters of the new government. Many of them were, as they were called, Tories, and did all they could to aid Great Britain. Numbers of these Tories had gone to England at the beginning of the war, but many of them had remained in the

**Tories in
Maryland.**

State, especially in Worcester and Somerset Counties, where they were joined by Tories from other States. Several times they went so far as to break out openly against the American cause, but without success. Some of them supported the mother country because they thought she would be victorious in the end and that their property and position would be safer if they took this course; but others, among them Daniel Dulany, remained loyal to her because they believed she had right on her side from the moment the colonies had declared themselves independent.

About the time that Washington was asking and receiving more troops from Maryland, Sir William Howe embarked nearly his whole army at New York and put to sea. For some time it was not known where he had

sailed, but at length his fleet passed by Annapolis on its way up the Chesapeake. His plan was to overawe Maryland and capture Philadelphia. This plan had been all written out by General Charles Lee, who had been taken prisoner by the British, and who, to save his own neck, now plotted against the American cause. This was not known till many years afterwards, and we shall find him again in command of an American army and betraying it. Lee declared, foolishly and falsely, that most of the people of Maryland and Pennsylvania were Tories, and would welcome the British army. The fleet made a pretense of attacking Baltimore and then sailed on to Elkton, within fifty-four miles of Philadelphia, the town in which Congress held its sessions. The people at once carried their stores and property out of reach, so that the enemy captured almost nothing. Howe marched toward Philadelphia, and took possession of that town after an engagement at the Brandywine in which the Americans were worsted. In the meanwhile the fleet sailed to the Delaware River to aid the Army. All along the river the American soldiers fled or refused to do duty, until Washington sent some Maryland artillery, under Colonel Samuel Smith, of Baltimore, to hold Fort Mifflin, on Mud Island. The British commander was

**The Defense of
Fort Mifflin.**

determined to get his fleet up the river, as he was having a hard time to find food for his soldiers in Philadelphia. Fort Mifflin was attacked from the river banks and from the ships until the fort was in ruins and many of the garrison killed or wounded. But Colonel Smith and his men held out until all of the works were beaten down and most of the

company of artillery killed, when they set fire to the ruins of the fort and left the island.

In 1778 Howe was succeeded by Sir Henry Clinton, who evacuated Philadelphia to gather all his forces together in New York. Washington marched rapidly after him and sent an advance corps, under Charles Lee, who had been exchanged and was again with the American army, to cut off Clinton's rear. Lee overtook Clinton near Monmouth Court House. Everything was in his favor, but instead of fighting he treacherously ordered a retreat. This caused the army to fall into confusion, and within a few minutes the enemy would have been upon them. Lafayette, who commanded under Lee, at once sent a messenger to Washington, who was with the main army a few miles away. Washington hastened to

**Maryland Troops
Keep the Enemy
in Check. Battle
of Monmouth,
June 28, 1778.**

the field, and as he rode up cried, "My God, General Lee, what are you about?" Then he hurried to the front and asked for some one to keep the British back.

Nathaniel Ramsay, of Baltimore, at once offered himself. "If you can stop the British ten minutes till I form, you will save my army!" said Washington to him. Colonel Ramsay kept them back for half an hour, and again the army was saved by the Maryland soldiers.

We cannot tell the whole story of Maryland in the Revolutionary War, because that would almost be to tell the story of the war itself, but must pass on to some of the later battles in which the Maryland troops won distinction. Sir Henry Clinton thought he had not a strong enough army to attack Washington's camp at West Point, and so after fortifying New York he set sail

for Charleston, in December, 1779. General Lincoln was in command of the American forces in Charleston, and Washington at once sent all the Virginia and North Carolina troops to aid him in the defense of that city. A

**The Maryland
Line Sent to
South Carolina.**

short time afterwards he sent also the Maryland Line, together with a Delaware regiment, under the command of de Kalb, and Otho H. Williams of the Sixth Maryland Regiment. They arrived too late to help Lincoln, who surrendered

Charleston after a brave defense, but they remained in South Carolina under General Gates, who succeeded Lincoln in the command. Sir Henry Clinton thought that as Charleston had fallen there was almost nothing left to be done, and therefore sailed back to New York, leaving part of his army, under Lord Cornwallis, with orders to conquer all the country from Charleston to Chesapeake Bay.



DE KALB.

Baron de Kalb was compelled to halt his troops because he could get almost nothing for them to eat, but

**Starvation
and Sickness.**

in spite of this General Gates when he arrived put the army on the march to Camden.

Both de Kalb and Williams advised him against this, but he would not listen to them. The soldiers ate green peaches instead of bread, and it is said even thickened their soup with hair powder, so that in

a few days two-thirds of them were ill of dysentery. They found a little cornmeal, however, and continued the march until they came within a few miles of Camden. Gates and Cornwallis each determined to surprise the other's camp, and they did surprise each other, indeed, when the two armies met half-way between the encampments in the middle of the night. There was a hot skirmish and then both armies waited for morning. Next

**The Battle of Camden,
August 16, 1780.**

day the battle was fought. In the American forces the Second Maryland Brigade, commanded by General Gist, and the Delaware Battalion were on the right under de Kalb, with the First Maryland Brigade, under General Smallwood, a short distance behind them. General Gates had foolishly sent off four hundred of the best Maryland regulars on a long march to the south. The Virginians were on the left, with the North Carolina troops in their rear. Colonel Williams began the battle by advancing with about fifty men. The British also advanced, firing and shouting, which so frightened the Virginia militia that they threw down their guns and fled without firing a shot. The North Carolina militia then ran away behind the Virginians, and this left only the Marylanders, about eight hundred men, and the Delaware Battalion to oppose three times as many of the enemy. The wisest plan would have been to retreat, but de Kalb waited in vain at his post for orders from General Gates, who was no longer there to give orders; either he had fled, or, as some say, had been carried away in the rush of the panic-stricken soldiers. The Maryland Line stood firm, and, cheered on by their officers, de Kalb, Howard

and Gist, even began to drive the enemy back, but at last the First Brigade had to give way. They were rallied by Colonel Gunby, Major Anderson, Major Jones and other officers. Again they had to give way, and again they rallied. The Second Brigade was still fighting bravely. At length the enemy charged, cavalry and infantry together, and the day was won for the British.

Death of de Kalb. Six hundred Marylanders were left on the field, and Baron de Kalb was taken prisoner after receiving eleven wounds, from which he died on the third day following.

The British in a short time had possession of Georgia and South Carolina, and were invading North Carolina and Virginia. General Nathaniel Greene, whom Congress appointed to succeed General Gates, found that he would have a hard task to oppose the enemy with the small remnant of an army left to him, an army in rags, without tents or wagons, and almost without arms, ammunition and supplies. General Greene divided his army into two parts and sent them in opposite directions to places where they could get food. General Morgan commanded one part, consisting of about six hundred men, and under him, among other officers, was John Eager Howard, of Maryland. Morgan was presently reinforced by about four hundred of the Carolina troops. Cornwallis also divided his men into two parts, with the purpose of getting Morgan's army between them. Morgan, learning of this plan from his scouts, took up his position at the Cowpens. He placed his inferior troops, Carolina and Georgia militia, in the front, and his best, including Colonel Howard's Marylanders, near a hill in

the rear. The militia in the front lines stood and fired many volleys at close range, but at length retreated behind the hill. The enemy then advanced upon Howard and his men, who soon brought them to a halt. The



JOHN EAGER HOWARD.

British commander, Colonel Tarleton, ordered his reserve to come forward, and at the same time the Americans who had retreated rallied and returned to support Howard on his right. By a mistake in orders Howard's men began to retreat towards the hill, but in such perfect order that he did not stop them at once, but allowed them to fall

back until they were once more in a good position. Then he ordered them to face about and fire at the enemy, who were rushing on in great disorder, thinking they had already won the victory.

Howard and the Maryland Line in the Battle of the Cowpens, January 17, 1781.

When the Americans fired at such close range the enemy stopped short, and before they could recover Colonel Howard charged upon them furiously. Some threw down their arms and fled, but most of them surrendered. At one time during the engagement Colonel Howard held the swords of seven officers who had surrendered to him.

That portion of the British army which Cornwallis commanded in person had not come up in time to take any part in the action at the Cowpens, but he started out at once in pursuit of General Morgan. At this General Greene again brought together the two parts of his army at Guilford; but deeming his forces too weak to meet the enemy, he retreated into Virginia. Before long receiving reinforcements, among them the Second Mary-

**The Battle of
Guilford,
March 15, 1781.**

land Regiment, he returned to Guilford to give battle. In the engagement that followed the North Carolina militia were driven back in disorder. The second line, made up of Virginians, stood firm until the enemy charged with the bayonet, when they were slowly driven back. This brought the British up to the First Maryland Regiment, commanded by Colonel Gunby, whence they were driven back with shot and bayonet. The enemy rallied, however, and again advanced, whereupon the Second Maryland Regiment, which in the meanwhile had been sent to the front, retreated. As the enemy came on, sure of victory, Colonel Gunby and his regiment met them bravely, but at the critical moment Colonel Gunby fell from his horse, which was shot under him. But Colonel Howard came to the rescue, and charging with the bayonet, as at the Cowpens, drove the enemy back in disorder.

Several other engagements between the two sides followed this battle, with the result that in the end of summer the British retreated to Eutaw Springs, to which place General Greene followed. He succeeded in getting close to the enemy without their knowing it, and advanced to the attack in two lines, in the second of which were two hundred and fifty Marylanders, com-

manded by Colonel Williams, Colonel Howard and Major Hardman. For a time the first line, composed of militia, fought bravely, and then gave way, when the North Carolina regulars took their place. These, too, fell back after a stubborn fight, and the British advanced so quickly that their ranks became disordered. Then it

**Williams at the
Battle of Eutaw,
September 8, 1781.**

was that General Greene gave the command, "Let Williams advance and sweep the field with his bayonets!" Williams and his Marylanders advanced to within a very short distance of the enemy, then fired and charged. The



OTHO H. WILLIAMS.

British gave way all along the line. Again the Maryland troops fired and again they charged, and the British fled in all directions. The battle was won; but after taking the enemy's camp the soldiers stopped to plunder, and everything was turned into confusion. Seeing this, the British returned and the Americans were forced to retire.

However, the victory remained with them, for the British remained only during the night to destroy their stores and then retreated to Charleston. General Greene, in his report of this battle, says of Colonel Williams that his

bravery in leading his soldiers to the charge exceeded anything he ever saw.

By this campaign General Greene had recovered from the enemy the whole of North Carolina, South Carolina and Georgia, except Wilmington, Charleston and Savannah, and decided now to rest his army and wait for re-enforcements.

In the meanwhile the British had been plundering and burning everything they could lay hands on in Virginia and Maryland, along the Bay shore and rivers, and were anxious that the war should now be carried on in the Chesapeake. It was thought that if Maryland could be made to suffer severely her zeal for the cause of independence would be lessened; that if her fields were laid waste and her towns burned she could no longer furnish supplies and money with so liberal a hand, and that if her people saw their own homes made desolate their hearts would lose their courage. But we may ask the question: If her soldiers fought so bravely in the defense of others, what would they not have done for the protection of their own?

When the enemy's plans became known Maryland at once made preparations for defense, and Washington



LAFAYETTE.

sent General Lafayette to the State with an army. It is related that while in Baltimore a ball was given in his honor, at which someone, noticing his sadness, asked the General the cause of it. He replied that it was because his poor soldiers were suffering for want of clothes. The



OLD CONGRESS HALL, BALTIMORE.

ladies there assured him that he should have clothes for his men, and the next morning they were to be seen in the same ball-room busily cutting out and sewing clothing for Lafayette's army.

**Patriotism of the
Baltimore Women.**

Before the war could be carried into Maryland, Cornwallis had surrendered at Yorktown. This news was carried to Congress by Washington's private secretary, Colonel Tench Tilghman. Baltimore and Annapolis were

illuminated, healths were drunk, cannon were fired, and the news was spread through all the States. Sir Henry

**Cornwallis
Surrenders,
October 19, 1781.**

Clinton asked to be relieved of his command, and Sir Guy Carleton, who was

appointed to take his place, arrived in New York in May, 1782. He at once informed Washington that he and Admiral Digby were empowered to make a treaty of peace. On hearing of this the Maryland Assembly passed resolutions declaring that they wanted peace, but were willing to accept it only on terms honorable to the colonies and to France, their ally, and that Maryland would do all in her power to continue the war until Great Britain should acknowledge the independence of the colonies. Such a peace was before long concluded, and the preliminary articles were signed in Paris on January 20, 1783. The war was over, and as a matter of course Maryland gave a banquet at Annapolis to celebrate the event. The Governor, the Council and a

**Peace and
Independence,
September 3, 1783.**

great many others were present. They drank thirteen patriotic toasts with thirteen cannon shots for each toast, and

ended with an entertainment for the ladies. All the other large towns of the State celebrated just as joyfully.

Maryland had a right to rejoice. Throughout the struggle she had stood firm, and had sent to the army soldiers that ranked first in bravery, discipline and trustworthiness. Not only brave men, but liberal supplies of every kind had Maryland given to the cause of independence, and the end of the war found her without money and with a large debt. But at least her cause was won, and she was now ready and able to go on in her new path with the same brave front, the same energy

as of old. Five hundred men, all that remained of the Maryland Line, now returned to their native State, wounded, tattered, and without money, but strong in the thought of their duty well done, and rich in the gratitude of their country and their State.

**Five Hundred
Survivors of the
Maryland Line.**

A word must be said about the naval affairs of the Revolution, in which Maryland played an honorable part. The first regular cruisers that went to sea from Maryland under the new government of the thirteen colonies were the *Hornet* and the *Wasp*, the former with William Stone as captain and Joshua Barney as second officer, the latter with Charles Alexander as captain. The one mounted ten guns, the other eight. British warships were watching the mouth of the Chesapeake, but the two little vessels managed to pass them without being seen, and joined the American fleet in the Delaware. This was in 1775. Two years later, when Commodore Hopkins had been dismissed from the service by Congress, Captain James Nicholson, of Chestertown, became the senior officer of the Navy and remained so to the end of the war. His brother Samuel was Paul Jones's lieutenant in the famous fight between the *Bon Homme Richard* and the *Serapis*, and was made a captain. A third brother, John, also was a captain in the Continental Navy. Maryland fitted out several other vessels, which did good service, and she kept quite a fleet of smaller boats in Chesapeake Bay. In 1776 Congress passed resolutions permitting privateers to be fitted out, and Maryland was foremost among the States in this business. In six years about two hundred and fifty of these vessels sailed out of Chesapeake Bay.

**The Navy in the
Revolution.**

CHAPTER VII.

THE FIRST DECADE OF THE NINETEENTH CENTURY.

The end of the War of Independence found Maryland face to face with bankruptcy. The State had spent all its money in helping to carry on the war, and had issued large amounts of paper money. Congress, too, in the name of the thirteen States, had put out much paper, for her share of which Maryland was responsible. Now paper money is only a *promise* to pay, and if people think the promise cannot or will not be kept, they of course take as little of the paper money as possible, and it becomes of very little value. In the United States at the present day the Government keeps in the Treasury a large amount of gold which any one who wants it can get in exchange for "greenbacks." But during the Revolution and after Maryland had no gold to give in exchange, it was all being spent, and if the war should end in victory for the British, why then the State's paper money would be worth just nothing at all. If, on the other hand, the colonies should win in the struggle, then they might be able to redeem their promises to pay. But a government has no money except that which it gets in taxes from its citizens, and the citizens of Maryland who were not fighting in the army had to give all they could earn to supply the needs of those who were, and of their families. Thus the State had become quite poor, and there was much doubt as to whether Maryland—and

Congress, too,—would ever be able to make good her promise to pay. So it was that the paper money became worth less and less, until in 1781 a pair of **Depreciated Paper Money.** boots was worth six hundred dollars, a handkerchief one hundred dollars, a skein of silk ten dollars, in paper money, and other things in proportion; while these same articles, if one had gold to pay



OLD CITY HALL, BALTIMORE.

with, could be bought for about sixteen dollars, three dollars, and thirty cents, respectively. This worthless Continental money gave rise to the expression, "not worth a continental," meaning absolutely of no value whatever. In spite of all this there was still, as late as

1786, a party in the State in favor of issuing more paper money. More than once a bill was passed by the Delegates to issue more of it, but each time the Senate rejected the bill.

In the year 1781 the Confederation of the American Colonies had been formed, after much delay and argument. By 1779 all of the States except Maryland had agreed to the Articles of Confederation. The larger States, espe-

**Maryland Refuses
to Join the
Confederation.**

cially Virginia and New York, claimed vast tracts of land to the westward as having been granted to them by their charters. Now Maryland contended that it was only just that these western lands should be given up to the Confederate States as common property for the benefit of all, seeing that the smaller States had done as much towards independence as the larger ones, if not more. As these latter refused to give up their claims to the western lands Maryland refused to join the Confederation. At length she yielded for fear that her refusal might do harm to the American cause, and signed the articles in 1781. Her opposition, however, had opened the eyes of the other States, and within the next twenty

**But Ratifies
the Articles,
March 1, 1781.**

years all the "western lands" had been ceded to the United States. In this way was created a national domain, and the possession of such a common property made it much easier for the States to form the idea of a Federal Union and to carry that idea into execution. The great credit of this is due to Maryland, but at the time her course was looked at in so different a light that it was even threatened that she should be divided up between the neighboring States and her name wiped from the map. Within her own

borders lands that had formerly belonged to the Proprietor, lying in the western part of the State, Maryland used in part by dividing them up into farms with which she rewarded her soldiers who had served in the war.

In order to pay off the large debts, including paper money issues, made to carry on the war, Congress now wanted to lay taxes in all the States. At that time the Federal Government had much less power than it now has, and could lay no taxes except by means of the separate State Governments. Maryland, agreed **Maryland Consents to Pay Federal Taxes.** to raise her share of the taxes, because she saw how important it was that the credit of the new Federation should be good. But some of the States paid no attention to the matter, and New Jersey went so far as to refuse to pay her share of the public debt. The States were not really united. Even during the war there had been more or less jealousy among them, and this feeling had increased. The people of the different States could not know each other as well as they now do. Whereas now one can travel from Baltimore to Philadelphia in two or three hours, in those days the journey lasted four or five days. There were no railroads or telegraph lines to carry news of the doings in Boston to the people of Baltimore. Most people never traveled outside of their own State; many never away from their own neighborhood. Thus the people of the different States, not knowing each other, could not understand each other; and not understanding each other, distrusted each other. It had been for only nine years that the thirteen States had worked together, and one of the greatest hindrances to Washington in the war had

been this weakness of the central government which stood for the union of the States.

Each State had its own laws for regulating trade and taxes, and the laws of no two States were alike. Most of the trade of the colonies had been carried on with England and her West Indian colonies, and for the most part in American-built ships, but in 1783 an order was issued by the King in council that "all trade between the United States and the British West Indies must be carried on in British-built ships, owned and navigated by British subjects." This was a severe blow to American commerce, and the various States tried to retaliate by laying double or quadruple duties on goods brought to their ports in British ships. No two States made the same laws, and Congress had no power to make regulations for the whole country. In ten of the thirteen States, among them Maryland, laws were passed in 1785 giving Congress the power to regulate commerce for thirteen years; but these laws were so at variance with each other that Congress could do nothing with them.

Matters at length got into such bad shape that the States agreed to hold a convention to see if they could not remedy the evils. The delegates elected to this Federal Convention from Maryland were James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll, John Francis Mercer and Luther Martin. The convention met in Philadelphia in 1787, choosing George Washington as its president, and after four months of discussion the Constitution of the United States was adopted. A little later it was ratified by the people of Maryland, April 28, 1788, although Luther Martin had opposed the Constitution

**Maryland Ratifies
the Constitution,
April 28, 1788.**

very strongly, and neither he nor John Francis Mercer signed it. There was always great difference of opinion as to whether the Constitution were good or bad, whether it said one thing or another; and we shall see that seventy-five years after its adoption this difference of opinion had much to do with causing the war between the South and the North. Under the new Constitution the first Senators sent from Maryland to Congress were John Henry, of the Eastern Shore, and Charles Carroll, of Carrollton, of the Western. While there is nothing in the laws of the State compelling the selection of a Senator from each side of the Bay, it was done then and has grown into a custom.

At the close of the war Washington had resigned his commission and surrendered his sword to Congress in the Senate Chamber at Annapolis, where there still hangs a painting of the scene. He wished to retire to private life, but could not yet be spared by his country. In 1789 he was elected the first President of the United States. It soon became clear that the Federal Government must have some fixed seat instead of moving about from one town to another; and New York, Philadelphia, and Baltimore each wished to become the new capital. The Baltimoreans subscribed about one hundred thousand dollars to help pay for government buildings if their city should be chosen. Finally, however, an Act of Congress was passed by authority of which Washington selected a part of Maryland, the present District of Columbia, as a site for the new city. The State of Virginia advanced one hundred and twenty thousand dollars to help pay for its public buildings and

**Washington Resigns
his Command,
December 23, 1783.**

Maryland seventy-two thousand dollars, but these sums were soon spent and it was found necessary to borrow more money to complete the work. Washington tried in Europe and America to borrow what was needed, but without success until he appealed to Maryland. The State replied by lending the government a quarter of a million dollars.



WASHINGTON RESIGNING HIS COMMISSION TO CONGRESS AT ANNAPOLIS.

Maryland was no longer poor. The French Revolution and the war between France and England made a demand for the productions of the United States, and Maryland took a large share of the resulting trade. The exports of the State grew from about two and a quarter million dollars in 1791 to fourteen and a quarter millions in 1807, in which year the Government of the United States laid an embargo on all vessels in American ports. As a result of this,

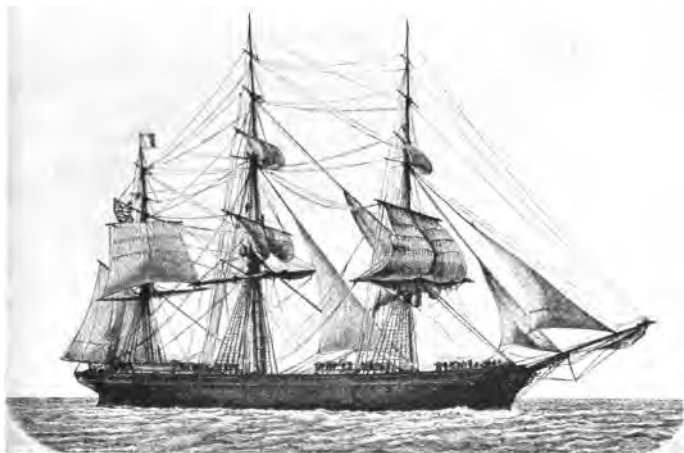
the commerce of Maryland was almost destroyed. Baltimore had become the centre of the tobacco and grain trades, and had grown so that in 1796 it was **Baltimore Incorporated, 1796.** incorporated and became a city. By 1807 it was the third commercial city in the United States. The increase of wealth in the State is shown by the increase in the returns of property for direct taxation from thirty-two million dollars in 1799 to one hundred and six millions in 1815.



JAMES CALHOUN,
FIRST MAYOR OF BALTIMORE.

As trade grew the building of ships increased, and Baltimore shipbuilders learned to make the fastest vessels afloat. As the saying was, "they start before the wind has time to reach their sails, and never allow it to come up with them." They were called "Baltimore Clippers," and were famous all the world over. The "clipper" carried so much sail that the seas were continually breaking over her. The sailors used to say, she "takes a header when she gets outside the harbor, and only comes up two or three times to blow before she gets home." The city kept up its old practice, too, of sending out privateers which now sailed under the French flag and did great harm to British commerce. The sailors of the State took part in more worthy deeds when the American Navy suppressed the Barbary pirates. These pirates had for years been capturing the vessels of all Christian

nations, and either selling their crews and passengers into slavery or holding them for ransom. During this war the American frigate Philadelphia ran aground on a rock off the coast of Tripoli, where she was captured by the Tripolitans and towed into port. Shortly afterwards Lieutenant Stephen Decatur, of Maryland, with a party of volunteers, went into the harbor, boarded and captured the frigate and destroyed her. This was in 1804.



BALTIMORE CLIPPER.

In the early years of the present century, as we have said, when France was at war with Great Britain; the vessels of America carried a very large part of the commerce of the world, and American merchants grew rich from the trade. But France and England were sorry that so much trade should pass into the hands of the Americans. They did all they could to harass our vessels, capturing and

destroying them whenever they had a chance, in spite of the fact that the United States were neutral; that is, were

**Causes of Enmity
between England
and the United States.**

not the ally of either side. The merchants protested, and sent memorials to the President and Congress asking them for protection. At length William Pinkney, a distinguished Maryland lawyer, was sent, in 1806, as Envoy Extraordinary to England to try to get redress. He did not succeed, however, in making Great Britain grant the claims of the United States, and after five years returned to America.

Matters continued to grow worse until there was nothing left for the United States to do but fight either Great Britain or France, or both. England claimed the right, and put it into practice, to search any American vessel for deserters from the British Navy, and often took men thus who were not British subjects. It happened that five sailors of the British frigate *Melampus*, which was watching some French frigates blockaded at Annapolis, deserted. Three of them enlisted on the United States frigate *Chesapeake*. The British demanded that these men be given up; but when the United States Government looked into the matter it was found that the three men were all Americans, two of them natives of Maryland, who had been "pressed" on board the

**The Affair of
the Chesapeake
and the Leopard,
June 22, 1807.**

Melampus. They had been forced to leave the ships in which they were sailing and to serve on the British man-of-war. This being the case the United States refused to give the men up and they were on board the *Chesapeake* when she sailed. Just outside of Capes Charles and Henry

the Chesapeake was overtaken by the British frigate *Leopard*, whose captain sent a note to Commodore James Barron of the *Chesapeake*, saying that he had orders to take the "British deserters" by force if necessary. Commodore Barron refused to permit them to search his vessel, and the *Leopard* opened fire. The *Chesapeake* was taken by surprise and had nothing ready for action. Her decks were littered with all sorts of things: chicken-coops, boxes and barrels. Some of her guns were not on their carriages, and no rammer could be found. The American ship shot only one gun, and then surrendered. Four of her men were taken off.

It was after this that Congress laid the embargo on American vessels of which we have spoken. The intention was to injure England and France by depriving them of our products, but its real result was to destroy the commerce of America. It might, possibly, have helped the American cause and injured its enemies if the American people had supported it. The New England States, however, Massachusetts especially, cried out against the embargo, saying that it was a plot of the Southern States to ruin the Eastern, and saying that the New England States were the only ones especially interested in commerce and shipping. But the fact is that the Middle and Southern States together had between three and four times as much export trade as New England; and Maryland alone had more than Massachusetts. Maryland was patriotic, as she had always been, and obeyed the embargo at the cost of her commerce, until bitter opposition caused the Act to be repealed.

**Embargo Laid
on Vessels in
American Ports,
December 22, 1807.**

One effect of the embargo was to strengthen the feeling that manufactures ought to be started in our own country; that we ought to produce for ourselves all that is needed to supply our wants, instead of importing such articles from abroad. Nine days after the laying of the embargo a meeting of merchants was called in Baltimore to form a company for the spinning of cotton and wool; and early in the following year the Union Manufacturing Company of Maryland was organized with a capital of half a million dollars. Even earlier than this associations of workingmen had been formed, and strikes to raise wages had been organized. The Society of Journeymen Tailors of Baltimore had conducted successful strikes in 1795 and 1805. In most trades the demand for skilled workmen was greater than the supply.

**Rise of Home
Manufactures in
Maryland, 1808.**

CHAPTER VIII.

THE WAR OF 1812.

The affair of the Chesapeake and the Leopard roused the whole country, and preparations for war were made at once. Maryland being called on for six thousand men, double that number volunteered. The spirit of the Marylanders is shown by an incident that occurred early in the year 1812. Three sailors escaped from a British vessel lying near Annapolis, but were seen and fired at before they reached the shore. An armed party was sent after the deserters, who, they declared, should be taken back by force if caught. The citizens of the town, however, surrounded the Englishmen, took away their arms, and sent them back to their ship, not only without the three deserters, but without a fourth man also who refused to go on board again.

**Annapolis Defies
British Seamen.**

The outrages of great Britain at length became unbearable. She had captured many of our merchant vessels, had insulted our Navy, and had impressed thousands of sailors from American vessels and compelled them to serve on the English warships, where they were treated with great cruelty. The United States could no longer submit to such treatment, and declared war on June 19, 1812.

Many persons in the United States, especially in the northern cities, were opposed to the war, but in Maryland the people on the whole favored it. There were, how-

ever, a number of prominent men in the State who opposed the war openly. Among these were Jacob Wagner and Alexander C. Hanson, editors of a newspaper, the *Federal Republican*, published at Baltimore.

Riots in Baltimore. This paper opposed the war so fiercely that the people became enraged; and on June 20, 1812, a mob destroyed the type, presses, and building belonging to the newspaper. The editors, however, continued to publish the paper, printing it at Georgetown. Trouble soon followed. On the twenty-seventh of July a score of men who supported the *Federal Republican* and who had fortified themselves in Wagner's house at Baltimore, were attacked by a mob. The Mayor of the city succeeded in persuading the garrison to surrender, under promise that they should receive no hurt, and they were taken to the jail for safety. The following night the mob attacked the jail, captured nine of the prisoners, and cruelly beat and cut them. One of the nine, General James M. Lingan, died from his injuries; and another, Henry Lee, a distinguished general of the Revolutionary War, was crippled for life. Eight of those who were in the jail made their escape. This attack was an outrage against that freedom of thought and speech so dear to all Americans. It had such an effect on the people of the State that in the elections which took place shortly afterwards many of the counties elected Federalist delegates, so that the Federalist party, which was opposed to the war, had a majority in the Legislature. Nevertheless, Maryland continued to support the government in carrying on the war.

The Americans proposed to invade Canada; and while preparations were being made to this end, two

Marylanders, Lieutenant Jesse Duncan Elliott and Captain Nathan Towson, captured two British armed brigs near Buffalo. With a small force they rowed out to the brigs in two small boats, captured them, and sailed them down the lake. Both vessels ran aground in the Niagara River within gunshot of the Canadian shore, and the British fired on them. The Americans, however, got away with their prisoners and the cargoes of the vessels, but had to destroy one of these, the *Detroit*. The other, the *Caledonia*, was saved by the efforts of Captain Towson, and afterward made one of Perry's fleet.

The attempted invasion of Canada was a failure, and the result of the war thus far was favorable to the British, except at sea where the United States were quite the equal of the enemy. Maryland alone sent out, within

**Many Privateers
Sent Out.**

four months after war was declared, forty-two armed vessels. These with other privateers, swarmed over all the ocean, capturing British vessels and even attacking the enemy's men-of-war. More privateers sailed from Baltimore than from any other city in the United States, and a larger number of officers in the Navy came from Maryland than from any other State: forty-six out of a total of two hundred and forty. It will give some idea of the hurt done by American vessels to English commerce to know that Commodore Barney, in one short cruise in his schooner *Rossie*, captured ships and cargo to the value of a million and a half dollars, and took two hundred and seventeen prisoners. Five hundred British merchant ships were captured in seven months.

At the end of the year 1812 Great Britain declared Chesapeake and Delaware Bays to be in a state of block-

ade; and by the spring of 1813 the blockade was extended to the whole Atlantic coast except Rhode Island, Massachusetts and New Hampshire. The effect of the blockade was disastrous to Maryland commerce. In 1812 the net revenue collected in the State, in customs, was \$1,780,000; in 1813 this fell to \$182,000; and in 1814 the expenditures exceeded the receipts. A British fleet, under Admiral Cockburn, sailed into Chesapeake Bay and harassed the shores, plundering and burning the towns, and capturing and destroying all the small vessels they could find. The fleet sailed up the Bay and lay off the city of Baltimore. No attack was made on the city, but a number of towns at the head of the Bay were pillaged and burned. The only defenders at these places were small bands of militia, as the Federal Government refused to send aid to the State. The militia did its best, and sometimes succeeded in driving off the attacking parties; but they were usually too few to stand against the larger forces of British soldiers. When there were no more vessels, militia, and stores of war material left in the upper waters of the Chesapeake, Cockburn returned to the lower part of the Bay. In spite of all this, the feeling in support of the war gained in strength throughout the State.

By the year 1814 the overthrow of Napoleon left England free to give more attention to the war with the United States. More ships and a land force were sent over. By the month of August they had landed at Benedict, and were on the march to Washington. Nothing whatever had been done in the way of building defenses for the capital. The British soldiers, suffering severely from the heat, at first advanced very slowly.

Pretending to march directly on Washington, they turned and went rapidly on to Bladensburg. They numbered about four thousand five hundred men, while the American army, under the command of General William H. Winder, of Baltimore, numbered about seven thousand.

**Battle of
Bladensburg,
August 24, 1814.**

The two armies met on August 24, the Americans in a strong position on a hill, and separated from the British by a stream over which was a single narrow bridge. This the enemy succeeded in crossing, and after some fighting drove the Americans from the field and captured half of their artillery. The only troops on the American side who fought with any bravery were a party of four hundred sailors under Joshua Barney, of Baltimore. These manned a battery of five guns and stood by their guns bravely, even when attacked on the flanks and in the rear, until Barney was wounded and taken prisoner. Then they fell back, abandoning their guns. Commodore Barney had been in command of the Chesapeake Bay fleet of gunboats, but had been compelled to destroy his vessels to prevent their falling into the hands of the enemy. It was thought useless to try to defend Washington with the army scattered in all directions, and therefore General Winder marched towards Baltimore with the few troops he could collect. The British marched on to Washington. The Capitol, the President's house, the Treasury building, the Navy Yard, the State and War Departments, were burned and destroyed. Public property to the value of more than two million dollars, besides private property, perished.

The destruction of the Arsenal and naval storehouses at Washington had been one of the chief aims of the

British. Having accomplished it, they now turned to the other, the destruction of Baltimore, which city they called a "nest of privateers." Warned by the threats of England, Baltimore had begun to make preparations to defend itself against the expected attack. For this purpose five hundred thousand dollars had already been spent, and now everyone in the city, even the old men and boys, went to work with pick and shovel to throw up fortifications. After a few days the enemy sailed up the Bay, and on September 11 seventy of their ships lay at anchor off North Point. Early next morning they landed their troops, an army of five thousand men, commanded by General Ross, while a number of small vessels under Admiral Cockburn formed in line to bombard the city. But the news of their coming had been sent up the Bay shore by beacon-fires and mounted messengers, so that the city was prepared. Commodore John Rodgers, with twelve hundred man-of-war's men, had charge of the batteries; Colonel George Armistead, of Virginia, commanded Fort McHenry; while the forces of the city were in command of General Samuel Smith, of Baltimore.

General John Stricker, with about three thousand raw militia, marched out some seven miles along the Philadelphia road to reconnoitre the enemy. When he learned, on the morning of September 12, that the enemy had landed, he sent back his baggage and formed his troops in line of battle. The British having marched to within two miles of General Stricker's position and halted, were met by a small body of Americans who were sent forward to surprise them. The Americans were being

**The Battle of North
Point, September
12, 1814.**

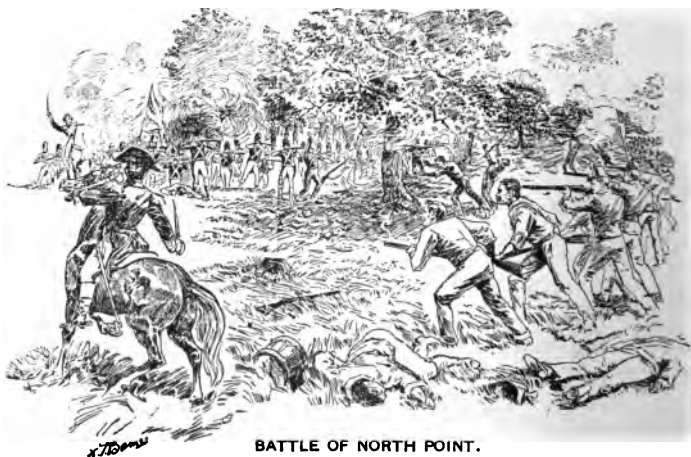
slowly driven back, when a rifle-shot killed General Ross, who had ridden to the front to see how matters were going. Colonel Brooke, who was now in command of the British, moved up cautiously until he came within a very short distance of the American lines. His troops were



BATTLE MONUMENT, BALTIMORE.

met by volley after volley of musketry, returned so briskly that the two armies were soon hid from each other by the smoke. On the American left the Fifty-first Regiment now broke and fled, and was followed by a part of the Thirty-ninth. Colonel Brooke tried to take advantage of this by advancing rapidly, but was received by the Ameri-

can artillery, whose guns had been loaded with "grape and canister, shot, old locks and pieces of broken muskets." At the same time all along the line volleys of muskets and rifles followed each other incessantly. The British, however, continued to advance. At length General Stricker ordered his small remaining force to retreat, which they did in good order and without being pursued by the enemy. It must be remembered that the

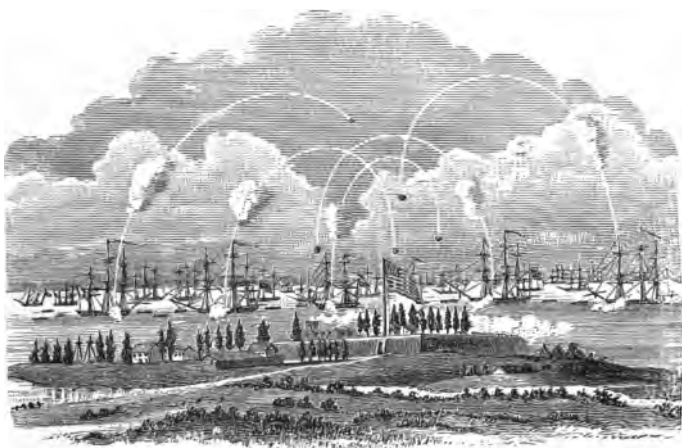


BATTLE OF NORTH POINT.

Americans engaged in this action were raw militia, while the British troops were all regulars, many of whom had fought in the wars against Napoleon; and that General Stricker had gone out only to skirmish, and not to attempt to defeat the whole British army.

On the next day the enemy resumed their march on Baltimore, and in the evening came in sight of the American army of about twelve thousand men strongly en-

trenched on a ridge of hills. Colonel Brooke was afraid to attack this strong position with his own army exposed. He therefore decided to wait for darkness to give battle, hoping the English vessels would by that time be ready to help him. But no news came from the fleet until at midnight it was heard to begin the bombardment. After two or three hours' waiting, Colonel Brooke received word that the fleet could not come up as the chan-



BOMBARDMENT OF FORT McHENRY.

(From an old print in the possession of the Maryland Historical Society.)

nel was too shallow for any but the smallest vessels, and besides was blocked by sunken ships. He therefore ordered a retreat, and the attack on Baltimore was abandoned.

The fleet turned back, and stopping at a distance of two miles from Fort McHenry, for twenty-four hours threw showers of bombs into the fort, which could make

no reply with its guns at that long range. But their flag was kept flying, and it was the sight of this flag which inspired Francis Scott Key to write his patriotic song, "The Star Spangled Banner." Key had gone to the British fleet on business connected with prisoners. He was kindly treated there, but was told he could not leave the fleet until after the attack on Baltimore. From the deck of the ship where he was detained, he watched all night the bombardment of the fort, with no means of knowing whether it had surrendered or not; but with the first glimpse of dawn he saw that the Stars and Stripes were still flying.

There was joy throughout the whole country when it was known that the British had retreated from Baltimore, and in that city itself the joy was unbounded. Battle Monument was built to commemorate the event; the twelfth of September was made a holiday; and year after year on that day the "old defenders," their number gradually growing less, were publicly honored by the city.



FRANCIS SCOTT KEY.

The war lasted only a short time longer, a treaty of peace being signed at Ghent on December 24, 1814. Curiously enough this treaty said nothing in regard to the right of search on American vessels, which had been the chief cause of the war.

But Great Britain tacitly gave up the right of search, and no trouble has ever arisen since on the question.

During the war Maryland had appropriated nearly half a million dollars to aid the Federal Government, while Baltimore alone had appropriated a million dollars for defense. President Madison recognized the justice of the claims of the State to repayment by the United States; but the people of other parts of the country cried out against it, and in the end Maryland received only a little over three hundred thousand dollars. Before the war the revenue from a fund of a million and a half dollars which the State possessed was enough to pay the ordinary expenses of the government, and in Baltimore the revenues sufficed for all current expenses; but so much money was paid out during the war that both the State and the city had to borrow, and this was the beginning of the present State and city debts.

**Beginning of the
State Debt, and
of the City Debt
in Baltimore.**

CHAPTER IX.

AFTER THE WAR WITH ENGLAND: POLITICAL HISTORY; INTERNAL IMPROVEMENTS; SOCIETY AND MANNERS.

It will be remembered that there were two political parties in the United States during the war of 1812: one, the Federalist, was in general opposed to the war; the other, the Republican, was in favor of it. This latter is not the same as the present Republican party, but is really the beginning of the party called Democratic. The question of the war was not the only one on which the parties differed: the Federalists leaned to the side of England in the wars following the French Revolution, while the Republicans sympathized with France; the Federalists favored a strong central government in the United States, while the Republicans thought the separate States should be stronger and more independent. The Southern States were Republican, and the New England States, especially Massachusetts and Connecticut, were Federalist; though there were many of the latter party in the South, and some of the former in New England.

In Maryland, in the elections of 1814, the Federalists made considerable gains; but in those of 1815 the Republicans made such gains that the Federalists had a majority of only one vote in the General Assembly. The latter party gradually lost power in all the States, chiefly because of its opposition to the war, until in 1816 Mon-

roe, the Republican candidate for President, received the electoral votes of all the States except Massachusetts, Connecticut and Delaware. In 1820 he received all the votes except one,* and the Federalist party fell to pieces completely. In this same year the Republicans gained complete control of the State Government of Maryland.

It was in these years that much discussion arose in Maryland about the election of representatives to the Assembly. Annapolis and Baltimore each

**Minority Rule
in the State.**

electd one elector of the Senate, the counties each elected two. Of the House of Delegates Baltimore City and county elected six members, but in proportion to their population and the taxes they paid they were entitled to twenty.† In addition to this the executive, that is, the Governor and the officers he appointed under him, were elected, not by the people directly as is now the case, but by the Legislature; nor were Senators elected directly, but by a college of electors as is the case in electing the President of the United States. By this arrangement the portion of the State which had most population and paid most taxes had less voice in the government than the other part; or, as we say, a minority of the people was governing the majority. In 1818 an effort was made to alter the Constitution of the

**Enfranchisement of
the Jews, 1825.**

State in order to correct this evil, but the opposition in the counties was so strong that the bill could not be passed. Another matter of discussion in these years was the enfranchisement of the Jews. They were allowed to worship ac-

* This vote was cast against him because it was thought that Washington should be the only President elected unanimously.

† See *ante*, p. 65, and following.

according to their belief, but were not allowed to hold any office under the State Government until, in 1825, a bill was passed giving them the same rights that every one else had.

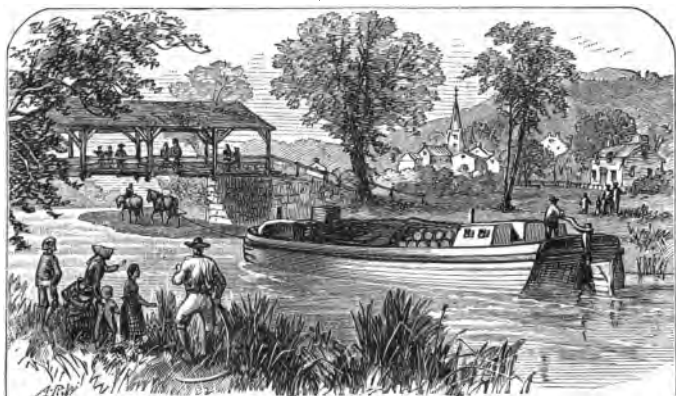
The Federalist party was succeeded in time by the Whigs, and as we shall before long have to speak of their successors, the present Republicans, let us call the old Republican party by the name it now bears, Democratic. In 1828 the Democratic party, then, had elected Jackson to the presidency, and during the end of his second term the old question of minority rule came up again in Maryland. In 1836 members of both political parties held a reform convention in Baltimore, and agreed to nominate Delegates who would pledge themselves to carry out the needed reforms. But it was the year of a presidential election, and party feeling was so strong that men of different parties, although they held the same views on this question, would not unite for the election of Delegates. Nevertheless, public opinion was so strongly in favor of these reforms that the newly-elected Assembly

**Reforms in the
State Government.**

bly passed a law, which, among other changes, gave the people the power to elect directly the Governor and Senators, one from each county and one from Baltimore City. The number of Delegates from each county was to be proportional to the population of that county, and the city of Baltimore was to send as many Delegates as the county having the largest population.

The importance of opening up the Western country to trade and settlement was early recognized, and during the first half of the nineteenth century many schemes

for building roads and canals were started, some of which were carried through. Railroads had been in use in Eng-



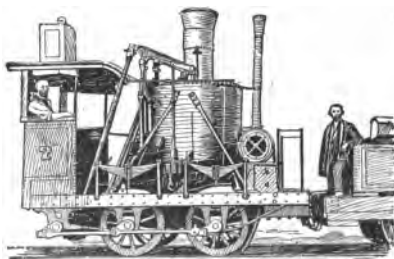
FIRST BOAT ON THE CHESAPEAKE AND OHIO CANAL, 1817.

land for some years, and in one or two places in America, when, on July 4, 1828, the corner stone of the Baltimore

**The State Encourages
the Building of
Canals and Railroads.**

and Ohio Railroad was laid in Baltimore by Charles Carroll, of Carrollton. The road ran from Baltimore to Elliott's Mills, and the cars were drawn by horses. Two years later a locomotive, built by Peter Cooper, was run over the road, and made about fifteen miles an hour.

The road grew, and in 1835 the State subscribed three mil-



FIRST LOCOMOTIVE ON THE BALTIMORE AND OHIO RAILROAD.

lion dollars to the stock of the company. This same Act subscribed five millions to other railroads and canal companies, a total of eight million dollars on which interest had to be paid, and the principal of which would have to be paid in course of time. It was thought that the profits of the companies would be so large that the interest the State would receive on its stock would be not only enough to cover the interest on the bonds it



OLDEST RAILROAD DEPOT IN AMERICA, AT FREDERICK.

issued, but enough to leave large sums over which might be used for the expenses of the government. The interest on the debt of the State amounted to six hundred thousand dollars a year, and this had to be raised by taxation. As long as it was possible the Legislature avoided laying taxes, but in 1841 it could no longer be put off. In a number of counties the tax laws were not enforced, and the people generally tried to shirk payment. As a result of this, as early as January, 1842, the State could no

**Suspension
of Interest
Payments, 1842.**

longer pay the interest on its debts. The amount of interest steadily increased until in 1844 it reached the sum of nearly a million and a half dollars. Soon, however, the companies to whose stock the State had subscribed began to earn enough to pay interest on it, and the amount raised by taxes gradually grew larger, so

Interest Payments Resumed, 1848. that in 1848 the State began to pay interest again. Nothing is more important

for a government than the prompt payment of its debts; and Maryland should be grateful to two men, Governor Thomas G. Pratt and George Peabody, for the services they rendered the State when it was in such difficulties. It was largely owing to their efforts that interest payment was resumed and the credit of the State maintained.

Fourteen years after the first use of a steam locomotive on the Baltimore and Ohio Railroad was seen the completion of the first electric telegraph line in America.

The First Electric Telegraph Line in the United States. In 1843 Congress had appropriated thirty thousand dollars to be used by the inventor, S. F. B. Morse, in erecting an experimental line between Baltimore and Washington. The line was completed by May, 1844, and proved to be successful. Shortly afterwards the news of the nomination of Polk and Dallas by the National Democratic Convention held in Baltimore was telegraphed to Washington, and caused a great sensation.

Social life in the United States during the early part of the nineteenth century was in many ways very curious, and if we are to believe the accounts given by some of the visitors from Europe, our manners were as bad as they

could possibly be. While the States were yet colonies of Great Britain there were, as we have seen, marked distinctions between the different classes of people; distinctions very much like those in England. There were a number of Englishmen of rank and title in the colonies, and very many of the planters belonged to aristocratic and noble families of the mother country. But with independence and the establishment of the

**Disappearance of
Class Distinctions.**

Republic all titles of nobility were done away with, and the distinctions of class began rapidly to disappear. "Republican simplicity," as it was called, began to replace aristocratic state. Much of this so-called simplicity was assumed as a political means to "catch the votes" and support of the mass of the people, but more of it was truly felt by those who believed in the equality of all men and wanted to put their beliefs into practice. A new country is necessarily rougher and simpler in its life and habits than an old one, and vast regions of the United States were at that time little more than a wilderness. But even in the older States along the Atlantic the people had much the same faults as in the newer West. Improvement soon came, however, and we of the end of the century can hardly believe what we read of the manners of the first half.

Let us look at some of these pictures of what we were. One visitor to this country says, that when people

met together at an evening party, the

**Description of an
Evening Party.** "women herded together in one part of the room, and the men at the other."

"The gentlemen spit, talk of elections and the price of produce, and spit again. The ladies look at each other's dresses till they know every pin by heart"

and talk of new pills for dyspepsia till 'tea' is announced," when they take "more tea, coffee, hot cake and custard, hoe cake, johnny cake, waffle cake and dodger cake, pickled peaches, and preserved cucumbers, ham, turkey, hung beef, apple sauce, and pickled oysters than ever were prepared in any other country of the known world."*

At the Theatre. At the theatres, this visitor says, the men wore their hats, and many of them sat in their shirt sleeves with their heels higher than their heads. She cannot praise even such actors as Edwin Forrest and the elder Booth. Doubtless Mrs. Trollope was prejudiced, but such an ugly picture could not be painted if there were not some truth in it.

Maryland was not so bad as other parts of the country. Mrs. Trollope, after a great deal of fault-finding with the inns and people she met on her journey from New Orleans to Cincinnati, says, on reaching Maryland: "Luckily for us, the inn at Hagerstown was one of the most comfortable I ever entered. . . . Instead of being scolded, as we were in Cincinnati, for asking for a private sitting-room, we here had two, without asking at all. The waiter summoned us to breakfast, dinner, and tea, which we found prepared with abundance, and even elegance. The master of the house met us at the door of the eating-room, and after asking if we wished for anything not on the table retired." Continuing her journey through the State, she says: "As we advanced towards Baltimore, the look of cultivation increased, the fences wore an air of greater neatness, the houses began to look like the abodes of competence and comfort." She

*Mrs. Trollope, in "Domestic Manners of the Americans."

calls Baltimore a beautiful city, and speaks of her pleasant visit of a fortnight there. She went to mass in the Cathedral, where she was "perfectly astonished at the beauty and splendid appearance of the ladies who filled it. Excepting on a very brilliant Sunday at the Tuileries, I never saw so showy a display of morning costumes, and I think I never saw anywhere so many beautiful women at one glance."

Both Mrs. Trollope, who visited Baltimore in 1830, and another English woman* who visited the city ten years earlier, speak of the clean, broad streets, the fountains, and the neat red brick houses with their shining knockers and white marble trimmings. Still another visitor,† who came to Baltimore in 1834, speaks with especial delight of the children she met there. And so, if American manners were bad in the early part of this century, we have at least some satisfaction in knowing that those who came here from Europe found Maryland better than many other parts of the country. But not in every respect. Another English traveler,‡ in describing his journey from Philadelphia to Baltimore, says, that he was there "brought in close contact with tobacco-chewing, to an extent that is positively disgusting." He adds, thus contradicting Mrs. Trollope, that it is only in public places that this spitting prevails, and that "it has not been permitted to invade the sanctuary of private society," and

A Journey from Philadelphia to Baltimore.

* Frances Wright, "Views of Society and Manners in America."

† Harriet Martineau, "Society in America."

‡ Alexander Mackay, "The Western World; or, Travels in the United States in 1846-47."

that he "never yet saw anyone, in the presence of ladies, violate with the practice the decorum of a drawing-room."

In his journey Mr. Mackay at length reached the Susquehanna River, over which the passengers were ferried from one railroad to the other in a steamboat, and where he was struck with the beauty of the scenery. The train sped on and he arrived at Canton, which he describes as a suburb of Baltimore, and a "melancholy instance of misguided enterprise" where "the streets are all nicely laid out, paved, and macadamized; and where you have everything to make a fine town but the houses." As the train rolled into the station at Baltimore "it was like Pandemonium let loose," on account of the colored men touting for the hotels to which they belonged.

"Barnum's, gen'lemen—Barnum's—now for Barnum's—only house in town—rest all sham—skin but no 'possum—yhaw, yhaw—Barnum's, Barnum's!" "'Cause Eagle eaten all de 'possum up, and left nuffin but de skin—de Eagle's de house, gen'lemen—hurra for de Eagle!"

It is no wonder that the poor English travelers thought this a strange country.

Mr. Mackay went to "Barnum's" and "found the hotel one of the most admirably managed establishments of the kind on the continent." He speaks of the fine harbor of the city, "crowded with shipping," of the Baltimore Clippers, and of the city's large foreign and Western trade. Baltimore street was, he says, "one of the finest streets in the Union," and the Baltimore women were finer still. He had never seen "in so large a population so small a proportion of un-

attractive faces," and "this characteristic extends more or less to the whole State of Maryland."

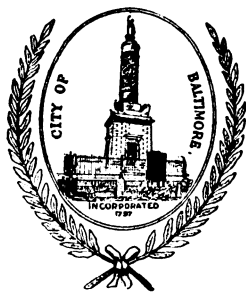
Mr. Mackay left Baltimore for Washington on the "late night-train," and when about ten miles from Washington discovered for the first time what a "cow-ketcher" was. The train was brought to a stop by running into a cow on the track, and our inquiring Englishman walked to the front of the engine where he made his discovery.

In Maryland during the first half of the nineteenth century social life in one respect resembled that of earlier days: it was not entirely a society of towns and cities as in the more northern States. While much of the social life

Country Life. was centered in Baltimore and Annapolis, on the other hand quite as much of it was in the country between the families of those who owned large plantations, and was, with greater freedom and more open hospitality, not unlike country life in England.

One of the chief faults of Americans in those years, if we are to believe what foreign visitors wrote about them, was their boastfulness about their country, its resources, and its institutions. But its material resources were in fact almost greater than any boast; and when we consider that the Americans were just beginning to see the success of what was, perhaps, the greatest experiment in government that the world had ever seen, it is not strange that their pride in this success led to frank and open talk about it. This peculiarity is not so noticeable in the Marylander as in the New Englander or the Western man: he is more apt to boast of his State than of his country.

Many duels were fought in America in these years, and a Marylander of renown lost his life in one. Commodore Stephen Decatur was killed in 1820, near Bladensburg, by Commodore James Barron, in a duel which grew out of the affair between the Chesapeake and the Leopard.



CHAPTER X.

NEW POLITICAL PARTIES; THE SLAVERY QUESTION.

The period after the war with Mexico, which ended in 1848, and in which the Maryland soldiers served with their usual bravery, was marked by the rise of several new political parties. Not that they came into being all at once; in fact, they had been gradually forming; but at about this time they became more or less prominent.

New Political Parties: the Know-nothings. Of these the Free-soil, or Anti-slavery party was by far the most important, and we shall have more to say of it later. Another was the American, or as it is oftener called, the Know-nothing party. This was a secret political society which for a few years had considerable influence on politics in Baltimore as well as in other parts of the State, and in the whole country. The main object of this party was to exclude all foreign-born citizens, and more especially all Catholics, from any office under the National, State or city governments. Its second aim was to change the naturalization laws so that the immigrant could not have the rights of citizenship until after a long residence of fifteen or twenty years in the country. Riots between the Know-nothings and the Irish Catholics occurred in many places, both during elections and at other times. Such riots occurred in Baltimore at the elections which were held in October and November, 1856. Muskets even were used, and a number of persons were killed. Thomas Swann, the Know-nothing candidate, was elected Mayor

of Baltimore, and the presidential electors of this party received a majority of the votes cast. Thus the eight electoral votes of Maryland were cast for Millard Fillmore, the Know-nothing candidate for President. He received no others, however. Scenes of violence and fraud at the elections continued for several years, until at length, in 1860, the Know-nothing party was defeated by the election of all the opposition candidates, headed by George William Brown for Mayor, in an election that was quiet and without disorder.

A far more important party, and one whose doctrines had much more far-reaching effects, was the Anti-slavery, or Free-soil party; and later, the **Free-soilers and Abolitionists.** These were not large parties like the Democratic and Republican, but they made up in energy what they lacked in numbers. They were opposed to the holding of slaves in general, and in particular they believed that slavery should not be permitted in the new parts of the country that were being made into States. For the most part the slaves were owned in the South; although there were some in almost all the States, and at first a few even in New England. Their number was so much greater in the Southern States because in that portion of the country the soil was rich and fertile, and adapted to the raising of crops, such as rice, sugar, and cotton, to which slave labor is suited; while in New England the soil is more sterile. Then, too, in the South large plantations were owned by a single man; while in the North each farm was so small that a man and his sons, with perhaps the help of a "hired man" or two, could do all the work upon it.

In the division of the country Maryland is usually placed among the Southern States, with those south of

**Maryland Classified
with the Southern
States.**

Mason and Dixon's line, and on the whole her interests and sympathies were probably more with the South than with the

North. There were many slaves and slave-owners in the State, but on the other hand there was a large Puritan element in the population whose sympathies were more or less with the North. Moreover, there were many later settlers in the northern and western counties,

**Her People Divided
on the Question
of Slavery.**

many of them industrious and thrifty Germans, holding smaller farms, and accustomed, man, woman, and child, to do

their own work. These also were anti-slavery in feeling. Thus the State which lies on the border between North and South was divided in feeling, sympathy and interests on the matters of difference between the two sections.

The first negroes were brought to Maryland shortly after the settlement of the colony. Their number was

**Negro Slaves
in Maryland.**

small until the early years of the eighteenth century, when the importation of them increased rapidly, so that by 1712, when the white

population numbered about thirty-eight thousand, there were more than eight thousand negroes. These slaves came for the most part from Africa, and at first were brought in British vessels. Later the trade was carried on largely by New England merchants. A vessel would bring molasses from Jamaica to one of the Northern towns; the molasses would there be made into rum, which in turn would go to Africa to buy slaves; and the slaves thus bought would be carried to Jamaica or to the

ports of the Southern States. As early as the year 1695 the Assembly laid a tax of ten shillings on every negro brought into the colony; and this tax was afterwards increased until, in 1716, it amounted to forty shillings a head. These taxes were laid for revenue rather than for the purpose of discouraging the importation of slaves. In 1780, however, the tax was raised to five hundred pounds, which was so high as virtually to prohibit the trade. This was done because the people had begun to think that there were already more than enough slaves in the State, and because the feeling that slavery was wrong was beginning to gain ground. Three years later an act was passed forbidding altogether the further introduction of slaves.

**The Importation
of Slaves
Forbidden, 1783.**

When the convention to form a new Constitution for the United States met in 1787, Luther Martin, a delegate from Maryland, proposed, but without success, that it be made a part of the Constitution that no more slaves should be brought into the country. It was finally agreed as a compromise that the importation of slaves should not be prohibited by the Federal Government until the year 1808, and that meanwhile each State should regulate slavery as it saw fit.

Slaves in Maryland were as a rule treated with kindness, and their ill-treatment was punished. It was not forbidden by law to teach them to read and write, as it was in some other States, but not very many of them were so taught. Frederick Douglass when a boy was taught to read by his mistress, a Baltimore lady. As early as the year 1789 a society was formed in Maryland having for its object the abolition of slavery; and such

men as Charles Carroll, of Carrollton, and Roger Brooke Taney, among others of prominence, agreed in their opinions as to the evils of slavery and the desire for its abolition. The Friends or Quakers were active in their efforts to have slavery abolished. The Southern Abolitionists thought that the slaves were not fit to be set free without preparation. The slaves had always depended



ROGER BROOKE TANEY.

upon their masters for support, were, for the most part, ignorant and helpless, and if they were suddenly freed would be unable to provide for themselves. Moreover, their masters had paid large sums for them—in the year 1859 as much as two thousand dollars was asked for a slave—had bought them in good faith expecting to keep them, and would be made bankrupt or reduced to poverty if the

slaves were suddenly set free without recompense to their owners. The Northern anti-slavery societies, on the other hand, wanted the slaves to be freed at once and in any way, without regard to the master's rights.

It was the law that if a slave escaped into a "free State" he could be captured and returned to his master, but it very often happened that the people there helped him to get away instead of returning him to his owner. This was especially the case with slaves owned in Maryland, who had only to cross the line into Pennsylvania to

find numbers of persons ready to help them to get away. In 1851, Edward Gorsuch, of Baltimore County, his son, and several friends, all armed and having a warrant got in Philadelphia, went to Lancaster County, Pennsylvania, in search of two slaves who had

Fugitive Slaves. escaped three years before. The searchers broke into the house where the fugitives were hidden, but did not succeed in taking them as a mob of about a hundred men armed with guns, axes, and clubs, had been called together by the sounding of a horn as a signal. After some parley shots were fired, and in the fight which followed Gorsuch was killed and his son wounded. By order of the President search was made for the fugitive slaves, but they had escaped. Several persons were arrested and tried for taking part in the riot, but all were acquitted. Public opinion in the free States was so strong against the fugitive slave law that it could not be enforced, and such occurrences as this made very bitter feeling in the South.

Many efforts were made to reduce the number of free negroes in Maryland. Beginning with the year 1831 the State appropriated large sums to send them to the colony of Liberia. The movement met with little success, however, as the negroes did not wish to go. In the

Free Negroes. twenty years to 1851 only one thousand and eleven were colonized in Africa, and this at a cost of two hundred and ninety-eight thousand dollars. Many slaves had been manumitted by their masters, so that the number of slaves in the State had greatly diminished, while the number of free negroes had greatly increased. In 1860, there were almost as many free negroes as there were slaves.* This decrease in the num-

* See Appendix B, p. 186, following.

ber of slaves was partly due to the fact that many of them were sold into the more Southern States. In 1810, when the number of slaves was greatest, there were about ten slaves to every twenty-four free persons; while in 1860 there were only ten slaves to about sixty-nine free persons.

At first the Abolitionists did not form any political party, but in 1840 they organized as the Liberty party.

**The Abolitionists
Merged in the
Republican Party.**

From that time on their efforts were directed to uniting all the people of the North into a political party pledged to destroy slavery in all the States. Before long they were merged into the Republican party which took up their watch-word of "no slavery." The election of Lincoln to the presidency by the Republican party in 1860 caused great excitement, and some of the Southern States at once began to prepare for secession. In Maryland Lincoln had received only 2,294 votes out of a total of 92,441, and the electoral vote of the State was cast against him. Nevertheless, although Maryland sympathized with the South, she was strongly opposed to all violence, had always been for moderation in the dissensions between the two sections, and believed that the Union should be preserved. When, at the end of the year 1860, South Carolina seceded, and was followed in the course of some months by ten other Southern States, Maryland, though asked to do so, would not join with them. Many

**Maryland does
not Secede.**

persons in the State favored, many were opposed to secession. The Governor, Thomas H. Hicks, was a loyal Union man, and as he said in his message at this time, believed "that the only safety of Maryland lies in preserving a neutral position

between our brethren of the North and of the South." The Legislature passed no ordinance of secession and did not call a convention of the voters to decide the question, and thus the State remained in the Union. It is fortunate for Maryland that she did not secede. If she had it is probable that, being a border State, much of the fighting during the war which followed secession would have been within her borders; and she would have been desolated, impoverished, and laid waste as Virginia actually was.

While the slavery question was uppermost in men's minds during the decades before the war of secession, we must not get the idea that it constitutes the whole history of the period. Even in the most exciting times the ordinary affairs of life must go on; men must labor, business

Immigration and Mechanical Inventions. must be conducted, and the routine of life's work and pleasure continue. Two of the

most striking features of this period were the enormous growth in population due to immigration, and the equally large increase in material welfare. It was a time of mechanical inventions: the harvesting machine, the breech-loading firearm, the sewing machine, the steam fire-engine, the Atlantic cable, all belong to this period; and the growth of material welfare was largely due to inventions of this kind. But it was more especially due to the use of steam in manufactures and railroads. While this quiet progress is often overshadowed by more stirring events, it is of lasting importance and must not be forgotten.

CHAPTER XI.

POLITICS IN MARYLAND, 1861 TO 1864.

The Civil War began with the firing on Fort Sumter, on April 12, 1861. In Maryland, as in the rest of the country, there was great excitement, and in Baltimore the ill-feeling between the Northern and Southern factions ran especially high. A number of men raised a Confederate flag on Federal Hill and were about to fire a salute of a hundred guns, when they were driven away and their flag was torn down. More serious

**Riots of April 19
in Baltimore.**

disturbances soon followed. On April 19, a force of about two thousand Federal troops, consisting of the Sixth Massachusetts Regiment and volunteers from Philadelphia, arrived in Baltimore on their way to Washington. They had to pass through the city from one railroad station to the other, their route being along Pratt street. Nine carloads of the Massachusetts troops drawn by horses passed without hindrance; but the tenth car being accidentally stopped, was stoned by the mob which had gathered and was driven back to President Street Station. The mob next proceeded to blockade the car tracks. It was then decided that the remaining troops should go on foot to Camden Station. As they moved along they were followed and hustled by the mob, now grown to about two thousand in number. Presently someone threw a paving stone which knocked down one of the Massachusetts soldiers. He was set upon and beaten. The troops began to run, but the

crowd followed, and stoned them until, unable to bear it longer, they halted and fired, killing and wounding several persons. The police did what they could to protect the troops, but the rioting continued all along the march until at length the soldiers got away on their train to Washington. The Philadelphia volunteers were sent back to Philadelphia the same day.

While this resistance to the passage of Northern troops through Baltimore was made, not by the city nor by the State, but by an unorganized mob, yet it showed clearly that the sympathies of many of the Marylanders were with the South. To avoid further conflicts of this kind, for some weeks no more troops were marched through the city on their way from the North. However,

**Federal Troops
Stationed in
the City.**

on May 13, General Butler took possession of Fort Federal Hill, and from that time until the end of the war there were always Federal troops stationed at Baltimore. General Butler issued a proclamation forbidding anyone to send supplies to the South, and forbidding that military organizations should assemble; nor would he permit any secession flags or emblems to be shown. A number of other forts were built around the city at this time and later, and part of the earthworks of one of them, called "Number Five," can still be seen just within the Madison Avenue entrance to Druid Hill Park. A strong body of troops was posted at the Relay House on the Baltimore and Ohio Railroad, Fort McHenry was strongly garrisoned, and Annapolis was taken possession of.

The Federal Government, by building forts, stationing troops, and holding the railroads in the State, placed Maryland under a sort of military occupation, and to this

the people objected. Commissioners were sent to Washington to consult with President Lincoln, who agreed with them that as Maryland had not left the Union she ought not to be subjected to such occupation. He said, however, that the disturbances in Baltimore and the strong secession feeling amongst large numbers of the people made it necessary for the Federal Government to take the steps it had taken in self-defense. The military rule soon became stronger and more arbitrary. Members of the



ENTRANCE TO OLD FORT McHENRY.

Legislature, editors of newspapers, judges and private citizens were arrested, charged with treason, and thrown into prison by order of the military authorities without any process of law and without any trial. Among others, John Merryman, a citizen of Baltimore County, was arrested on a charge of treason and imprisoned in Fort McHenry, where General Cadwallader was in command. Immediately Chief Justice Taney issued a writ of *habeas corpus*. This was the legal way of asking why Merryman had been arrested. It meant that General Cadwallader must come before the

court and show by what right he kept Merryman imprisoned when no charges had been made against him legally. General Cadwallader not only refused to come before the court in answer to the summons, but also said that he was authorized by President Lincoln to suspend the Act of *habeas corpus* in cases where persons were accused of treason. Chief Justice Taney, in an opinion on this case which he gave soon afterwards, showed that under the

**Suspension of
the Act of
Habeas Corpus.**



VIEW OF BATTERY, FORT McHENRY, IN 1900.

Constitution the President has no right to suspend the Act of *habeas corpus*; only Congress can do so.

This occurred in May, and in June General N. P. Banks, of Massachusetts, was appointed to the command of the Department of Annapolis, with headquarters at Baltimore. A few days after taking command he issued a proclamation in which he accused members of the police department of conspiring to resist the Federal Government and to aid the Confederates with arms and supplies. He said further that Colonel George P. Kane, the marshal of

police, was believed to know of this conspiracy. Marshal Kane was arrested and taken to Fort McHenry, and Colonel John R. Kenly, of the First Regiment of Maryland Volunteers, was appointed provost-marshal in charge of the police department. The Legislature had protested against the arbitrary arrest of citizens of Maryland; and now the Police Commissioners, with the Mayor of Baltimore, protested against the arrest of Kane and the



TOWER OF OLD FORT SEVERN, NOW USED AS THE GYMNASIUM AT THE NAVAL ACADEMY.

assumption of a part of the State Government by men appointed by Federal authority. The Commissioners, with the exception of Mayor Brown, in their turn were arrested and sent to Fort McHenry on July 1. They had no redress in the courts because the grand jury adjourned without bringing any charge against them, and though they demanded of Congress and the President the reasons for their arrest and imprisonment none were given. Four weeks later they were carried to Fort Lafayette in New

York harbor, and afterwards to Fort Warren in Boston harbor.

The Federal authorities were very much afraid that Maryland would secede. They dreaded this, not only because it would take another State from the Union and encourage the Confederacy, but also on account of the disheartening effect it would have on the people of the North. Annapolis being occupied by Federal troops the Maryland Legislature had been meeting in Frederick. It had adjourned to meet again on September 17, but before it met the Secretary of War had ordered the arrest of any or all of its members, in order to prevent the passage of an Act of Secession. As a result of this order ten members-elect of the Legislature, the Mayor of Baltimore, a member of Congress, and two editors were arrested. These prisoners, with others arrested at the same time, were sent to Fort Lafayette and to Fort Warren. In the election of November of the same year, 1861, for Governor, members of the Legislature, and various other officers, the President and his advisers were determined that the Union party candidates should be elected. This was in order that no vote of secession should be passed, and that no aid should be given to the South by the State. Soldiers were placed at the polls, many arrests were made, and many who sympathized with the cause of the South were not allowed to vote. The Union candidates were elected, and Augustus W. Bradford was inaugurated Governor at Annapolis on January 8, 1862.

Fears that Maryland would Secede.

Federal Authorities Interfere in the State Elections.

To be sure there is another side to the question. The votes which the Federal Government aimed to suppress

were those of persons, as it was said, "in rebellion," or aiding "rebels;" as "rebels" they lost their political rights. But if the States had a right to secede these persons had a right to vote for secession, so that we are brought back to the question: Had the States a right to leave the Union? No amount of argument could settle this question, and in the end it was settled by a terrible war. After all it is very doubtful if secession would have carried the day in Maryland even if the Federal Government had not interfered.

The new Assembly, when it met in March, passed a set of resolutions in which it was declared that the State would support the Federal Government in a war carried on to bring back the seceding States into the Union with the same rights under the Constitution that they had always had. It was also declared that the war ought not to be fought for the purpose of doing away with slavery. Thus even the Union sympathizers in Maryland were not in favor of "abolition," and passed this resolution because Congress was discussing the question of abolishing slavery in the District of Columbia. When, in April, 1862, a law was passed setting free the slaves in the District, only one Maryland member in either branch of Congress voted in favor of the bill.

During the year 1862 the people were still harassed by the military government of the State. Men, and even women, were arrested and imprisoned without trial. No one was allowed to have in his possession the likeness of any Confederate leader, and even the wearing of certain colors—red and white without the blue—subjected people to suspicion and annoyance. The churches were compelled to display the American flag, no one was allowed

to publish or sell any secession music, and orders were given to seize all pictures of Confederate generals and statesmen that should be found in the shops. The Federal Government certainly tried in every way to keep the secession feeling from spreading in Maryland or showing itself openly. The feeling of sympathy with the South was there, however, and showed itself, to a great extent, in the sending of money and supplies for the use of the Confederate soldiers. Many a cartload of goods left Baltimore in the darkness of night, ran the blockade of the Federal lines, and arrived at last on the southern side of the Potomac. It is true that the people of Maryland, many of them, brought trouble on themselves by aiding the Confederate cause in every way that they could. On the other hand it must be remembered that Maryland was not a seceding State, that many of her people were Union sympathizers, and that many of them were neutral; that is, taking neither side. Moreover, if anyone did wrong and was to be punished it should have been by due process of law. The President of the United States has certain powers given him by the Constitution which he can and should exercise. But when he does acts for which no power is given him, when he assumes arbitrary powers, either in peace or war, he ought to be closely watched and called to account by all the people, those who suffer by his acts and those who do not alike. For nothing is more dangerous to a republic than that those put in power should exceed, even though it be in little, the authority given them. If they do it in little they are tempted to do it in much; and a nation may be carried into evil war and foolish extravagance, into injustice at home and abroad,

**Dangers from
the Arbitrary
Use of Power.**

by those elected, that is chosen out, for the purpose of watching and guarding the nation's welfare. In Congress, and in the newspapers throughout the country, protests were made against these arbitrary arrests. Secretary Seward was held responsible for the policy, and justly so; for Lincoln respected the Constitution and violated it only in the extremest need. Early in the year 1862 he ordered the release of all political prisoners who would give their word not to aid the enemies of the Union.

We have seen that Congress abolished slavery in the District of Columbia in 1862. In June of the same year slavery was abolished in the Territories; and on September 22, 1862, President Lincoln warned the seceding States that unless they should return to the Union he would declare the slaves in those States to be free. Finally, as no heed was given to this proclamation, he issued on January 1, 1863, his Emancipation Proclamation freeing all slaves throughout those States which had joined the Confederacy. This did not apply to slave States, such as Maryland, which remained in the Union. However, the anti-slavery feeling was rapidly gaining ground in Maryland, and in the elections of 1863 the extreme Union party made the setting free of the slaves in the State the issue of the campaign. They were completely successful, electing nearly all of their candidates. The election was under military control, and officers of the Federal Army were at every poll. In some places the tickets of the party which favored emancipation were printed on paper of a different color from the others; and Governor Bradford, in his message to the Legislature in January, 1864, says: "In one district the military officer took his stand

Election Frauds.

at the polls before they were opened, declaring that none but 'the yellow ticket' should be voted, and excluded all others throughout the day."

Early in the first session of the new Legislature a bill was passed authorizing the holding of an election, in April, 1864, in which the people were to vote "aye" or "no" on the question of holding a convention to frame a new Constitution for the State. The election resulted in

favor of the "ayes," many of those who would have opposed the convention not being allowed to vote. The convention

**Constitutional
Convention of 1864.**

was accordingly held, and adopted a new Declaration of Rights and Constitution for the State, which differed from that of 1851 particularly in two respects:* First, it was declared that the Constitution and laws of the United States were above those of the separate States, and must be obeyed by all citizens even if they contradicted State laws; and secondly, that slavery should no longer exist in the State. In the Constitution it was fur-

ther declared that, in future, no one who had borne arms against the United States, or who had aided the Confederate cause

**Important Changes
in the Constitution.
Slavery Abolished.**

in any way, should have the right to vote or hold office in the State until after he had entered the military service of the United States and been honorably discharged, or else had been restored to citizenship by Act of the General Assembly. Before any person could vote he might be made to take what was called an "ironclad" oath† that he had never aided those who were fighting against the

* See Appendix C, p. 188, following.

† *Ibid.*

United States, or even expressed a desire that they should triumph.

After the Constitution had been framed it had to be voted on by the people before it became the law of the State. It contained one very remarkable provision,

**A Part of the
Constitution Goes
into Effect Before
it is Voted on.**

namely, that those who were going to vote on the question as to whether it should be adopted or not, could only do so under the regulations of this new Constitution, and by taking its prescribed oath. Thus, before it became a law, it was to regulate the votes of those who were to decide whether it was to become a law or not. Furthermore, it was provided that the votes of soldiers serving in the Federal Army outside of the State should be taken on the question of adopting the new Constitution. Three of the most distinguished lawyers of Maryland, Reverdy Johnson, Thomas S. Alexander, and William Schley declared that these two last-named provisions were contrary to the Constitution and contrary to law. Nevertheless the elections were held in the way prescribed, with the following result:

	For.	Against.
Vote in the State	27,541	29,536
Soldiers' vote	2,633	263
Total	30,174	29,799

This gave a majority in favor of the new Constitution of only 375 votes, and if the "soldiers' vote" had not been counted the Constitution would have been rejected by a majority of 1,995. The number of slaves set free by this new law was

**The New
Constitution
Adopted.**

between eighty and ninety thousand, and their value has been estimated at over thirty millions of dollars.

This is the story of Maryland during the War of Secession, a story pleasant neither to tell nor to hear. On the questions at issue the people of the State were divided. On the question of slavery a majority of the people probably sympathized with the South; but, on the other hand, probably a majority of the people were opposed to secession. The

Summary of the State's Position.

number of slaves in the State was decreasing, and most of the people believed that slavery should be gradually done away with; but on the other hand they were opposed to emancipation all at once and without payment to the slave-owners. Speaking generally, of the counties on the Western Shore, the northwesterly ones, beginning with Carroll County, were in sympathy with the North, while the northern, central and southern counties were in sympathy with the Confederacy. On the Eastern Shore a majority of the people favored slavery and the Confederacy. In the election held in November, 1864, Lincoln, the Republican candidate for President, received, counting the absent soldiers' vote, 40,171 votes; while McClellan, the Democratic candidate, received 32,739. In Baltimore City the vote was: Lincoln, 14,984; McClellan, 2,953. If we



REVERDY JOHNSON.

bear in mind that many citizens were disqualified because they were known to be in sympathy with the South, and that many others were absent fighting in the Confederate Army, it will be seen that the State was very nearly exactly divided in opinion.



CHAPTER XII.

THE CIVIL WAR.

There were Maryland soldiers on both sides in the War of Secession. In the Revolutionary War we have seen the whole country united against a common enemy, but now we must view the pitiful sight of the Marylanders fighting, friend against friend, brother against brother, our only consolation being that each was doing what he thought was his duty in fighting for what he considered the just cause. As early as 1861 the First Maryland Regiment, commanded by Colonel John R. Kenly, left Baltimore to join the Federal Army; and in the same year Bradley T. Johnson, of Frederick, enlisted a company of soldiers for the Confederate service and marched them into Virginia. Here they were soon joined by other Maryland companies and organized into a battalion; but a battalion without arms, food or clothing. They of course could not receive arms from their own State to fight against the Union to which she belonged, and Virginia had not enough to supply her own soldiers. In this emergency Mrs. Johnson determined to ask aid of North Carolina, her native State. Avoiding the Federal lines she journeyed to Raleigh, and in ten days returned to her husband's camp with five hundred rifles, ten thousand cartridges, and thirty-five hundred caps, besides blankets, camp kettles, axes, and such things. The men were then organized into the First Maryland Regiment under Colonel Arnold Elzey, and Bradley T. Johnson was made major.

**Maryland Troops
on Both Sides.**

Both of these "First Maryland" regiments soon distinguished themselves, and, oddly enough, in fighting against each other. In the spring of 1862 General Banks of the Union Army was at Strasburg, and "Stonewall" Jackson formed a plan to capture his force. To do this he sent a part of his army to capture the Federal force stationed at Front Royal, in order that he might get to the rear of General Banks and take him by surprise. The force at Front Royal consisted of nine companies of the First Maryland Regiment under Colonel Kenly, with four other companies from other regiments. Jackson ordered the First Maryland Regiment (Confederate) under Bradley T. Johnson, now advanced to Colonel, to join a Louisiana battalion and attack the guard in the town. When the attack began Colonel Kenly at once sent off a messenger to General Banks to warn him of his danger. Then, after a fight of two hours, he succeeded in checking the Confederate forces until being attacked on the flank he attempted to cross the Shenandoah River and burn the bridge behind him. At the first movement he made the Confederates charged and drove him over the bridge, but Colonel Kenly fought every step of the way until darkness came. Then he was compelled to surrender, but Jackson's force had been held in check so long that Banks was in safety.

There was much dissatisfaction among the Maryland soldiers of both the Union and Confederate armies because they were placed in different commands and not grouped together into a Maryland brigade. There were more than twenty thousand Maryland soldiers in the Southern Army, but so scattered about that, though their bravery and

devotion were duly acknowledged, the State received little credit for it. In the Federal Army the different Maryland regiments were separated, for one reason, because of the distrust the Northern people felt towards the troops of the



CONFEDERATE MONUMENT TO MARYLAND DEAD.
AT WINCHESTER, VIRGINIA.

State, a distrust the injustice of which was shown by their conduct throughout the war. At length, in the autumn of the year 1862, five Maryland Union regiments, together with a battery of light artillery, were formed into the Maryland Brigade, under the command of John R. Kenly, who had been made a brigadier-general "for gallant conduct at the battle of Front Royal."

**The Maryland
Brigade of the
Federal Army
Organized.**

At the end of the year 1862 General Lee determined to carry the war into Federal territory. He had to provide food for his army and forage for his horses during the coming winter, and northern Virginia was so laid waste that nothing was to be had there for man or beast. He wanted also to give Maryland the opportunity to declare for the Confederacy if, as many people said, she really wished to do so. Another of his objects was to destroy the Pennsylvania Railroad bridge over the Susquehanna River, so that the connection between the Eastern and Western States might be broken. Therefore, in September he crossed the Potomac to "deliver Maryland and invade Pennsylvania." The wagons of his army were empty, the clothing of his soldiers was in rags, and thousands of them were without shoes; but all this discomfort was forgot, by the Maryland troops at least, when they once more entered their beloved State. Hats were tossed up, some wept, some kissed the ground, the bands played and the soldiers sang "Maryland, My Maryland," till the air rang. As the army marched on to Frederick intense excitement spread throughout the State. The soldiers were orderly and all that was taken, whether food, clothing or other supplies, was paid for—to be sure for the most part in Confederate paper money which afterwards became worthless. Very few supplies were obtained. In a region where there were so many Union people no very open welcome could be given by those who sympathized with the invaders, but much good-will was shown quietly and silently. It was "Stone-wall" Jackson's entry into the town of Frederick at this time that gave rise to the story on which Whittier's poem, "Barbara Frietchie," is founded.

**Lee Invades
Maryland,
September, 1862.**

**Coldly Received
by the People of
Western Maryland.**

The story has no truth in it except that as the soldiers were passing through, a woman, not Barbara Frietchie, waved a Union flag to which Jackson paid no attention. The coldness with which Lee's army was received was in great contrast with the welcome given to McClellan when he entered Frederick a week later. He wrote: "I was nearly overwhelmed and pulled to pieces. . . . As to flowers,—they came in crowds!" Lee's cavalry rode everywhere in search of forage and provisions, and all sorts of rumors were spread as to their movements. One of these was to the effect that Baltimore was to be attacked, and therefore, at Governor Bradford's call, the citizens organized into militia to defend the city. However, these preparations were found to be needless. After the battles of South Mountain and Antietam Lee retreated across the Potomac, and the first invasion of Maryland was ended.

A second invasion of the State by the Confederates began nearly a year later, in the summer of 1863. Lee fought his way northward, concealing the end he had in view, until in the latter part of June he arrived in the western part of Maryland, and the Federal authorities realized that the invasion of the North had really come. President Lincoln issued a call for one hundred thousand men, of whom ten thousand were asked from Maryland. Governor Bradford and the Mayor of Baltimore called on the people to enlist, and the Baltimore City Council appropriated four hundred thousand dollars for bounties to those who should enlist before June 26, hoping thus to make the people answer the President's call promptly. Volunteers came in very slowly, however, and one hun-

**The Second Invasion
of Maryland, 1863.**

dred thousand dollars of the amount appropriated was used to strengthen the fortifications of the city. The Confederate cavalry spread themselves over the State, and one detachment of them, under Colonel Harry Gilmor, of Baltimore, surrounded a body of Federal cavalry near Westminster and captured nearly all of them. The few who escaped were chased beyond Pikesville, eight miles from Baltimore, whence they escaped into the city and spread the alarm that a large force of Confederates was coming. The city was in a panic and excitedly prepared to defend itself, but this time also no enemy came. On the first three days of July was fought the battle of Gettysburg. After this defeat Lee retreated to Virginia again and the hopes of the Southern sympathizers in Maryland were dead. Enormous numbers of wounded from both armies were left in the State, and everyone helped to nurse and care for them. Fifty thousand dollars was raised in Baltimore for their use.

A third time during the war was Maryland invaded. In July, 1864, General Early entered the western part of the State. A portion of his force, the cavalry, took possession of Hagerstown. Their commander, General John McCausland, demanded of the inhabitants twenty thousand dollars to be paid within three hours, besides fifteen hundred suits of clothes, fifteen hundred hats, fifteen hundred pairs of shoes, fifteen hundred shirts, nineteen hundred pairs of drawers, and fifteen hundred pairs of socks, which he gave them four hours to collect. He threatened to burn the town if the money and goods were not delivered. The twenty thousand dollars was paid, but though

**The Third Invasion
of Maryland,
July, 1864.**

session of Hagerstown. Their commander, General John McCausland, demanded of the inhabitants twenty thousand

dollars to be paid within three hours, besides fifteen hundred suits of clothes, fifteen hundred hats, fifteen hundred pairs of shoes, fifteen hundred shirts, nineteen hundred pairs of drawers, and fifteen hundred pairs of socks, which he gave them four hours to collect. He threatened to burn the town if the money and goods were not delivered. The twenty thousand dollars was paid, but though

he gave them two hours extra in which to collect the clothing, the unfortunate inhabitants could gather together only a few hundred of each article and with these General McCausland had to be satisfied. Frederick also was ransomed for the sum of two hundred thousand dollars. Bodies of Confederate cavalry rode in all directions burning bridges, cutting tele-

Hagerstown and Frederick have to Pay Ransom.



ON FOOT AND HORSE INTO FREDERICK TOWN.

graph wires, capturing railroad trains and carrying off horses. One small party came within five miles of Baltimore on Charles Street Avenue and burned the country house of Governor Bradford; the house of Postmaster-

General Montgomery Blair at Silver Spring also was burned. Many places near Baltimore were visited by them: Towson, Reisterstown, Mount Washington, the Relay and others, but received very little hurt. As a result of these raids Baltimore was cut off from the rest of the country except by water, and there was great uncertainty in the city as to what was happening, but in a few days the excitement was over.

The war dragged on for a few more weary months until General Lee surrendered what was left of his army to General Grant at Appomattox Court House, on April 9, 1865. To the very end, even when the soldiers from the States farther south were deserting from Lee's army by the hundred, the Maryland troops stood by him faithfully. The war was over, and had cost the country more than half a million lives on both sides. Slavery was abolished for the good, in the end, of the slaves themselves, their masters, and the whole country; and, moreover, the principle was established that the States could not secede, that they were parts of a great whole, a nation that could not be divided. It had also been shown that the American people were as patriotic as in the days of the Revolution; shown on both sides, for the men, women and children of the South were as patriotic and suffered as much for their "States" as those of the North did for their "Union." But the cost was terrible. As President Lincoln said in his second inaugural address: "Neither party expected for the war the magnitude or the duration which it has already attained. . . . Each looked for an easier triumph, and a result less fundamental and astounding. . . . The prayers of both could not be answered. That of neither

has been answered fully." And, "with malice towards none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

CHAPTER XIII.

THE POLITICAL HISTORY OF MARYLAND SINCE 1865.

Five days after the surrender of General Lee the whole country was shocked by the assassination of the President. Whether we approve his acts or not, whether we agree with or differ from his political views, we cannot but feel respect and admiration for a man of such uprightness and nobility of character. It is with shame and regret that we acknowledge that Lincoln's murderer was a Marylander. John Wilkes Booth* was born in Harford County in 1839. His act was that of a man carried away by sectional passion and he alone must bear the blame for it.

Although the war was ended, ill-feeling between the two factions did not cease. In Baltimore the City Council passed a resolution asking General Lew Wallace, who was then commander of this department, to close certain churches founded by Southern sympathizers who had withdrawn from the Methodist Church. At another time it passed resolutions against the presence in the State of Confederate soldiers who had returned to their homes. These latter were in an unfortunate position, for the Attorney-General had given it as his opinion that by the

* For an account of the capture and death of Booth, see the *Century Magazine* of April, 1896, in the article, "Four Lincoln Conspiracies," by Victor L. Mason.

terms of Lee's surrender those soldiers who were from non-seceding States could not return to them, but must remain south of the Potomac. General Wallace accordingly ordered that all Confederate officers, soldiers and citizens who returned to his department in Maryland should be arrested and held until the government at Washington should decide what to do with them. A number were arrested in accordance with this order and were sent into Northern States, where curiously enough the ill-feeling towards them was not so strong. The feeling against returned Confederates was especially marked in the southern counties of the Western Shore. This was partly because their inhabitants were almost without exception Southern sympathizers, and partly because Wilkes Booth, after the murder of Lincoln, had escaped through that region and had been concealed, willingly or unwillingly, by several persons there. Prince George's, Charles and St. Mary's counties were garrisoned with over five thousand United States troops, and orders were given that no person there should be "allowed to engage in any occupation, trade, or profession without taking an unconditional oath of allegiance." However, the State remained under military control only for a short time, until January, 1866.

We have seen that large numbers of the citizens of Maryland had been disfranchised by the Constitution of 1864 on account of their sympathy with the South. In 1865 the Legislature passed an Act to regulate the registration of the voters of the State. Officers

**The Registration
Act of 1865.**

of registration were to be appointed by the Governor, three for each ward of the city of Baltimore, and three for each election district in the counties, to "register the names of all free white male

persons" entitled to vote. Three officers were also appointed to register the names of all Maryland soldiers and sailors in the service of the United States, who were not too far away to be conveniently reached. Any person who wished to be registered had not only to take the "oath of allegiance," but might be made to answer under oath any questions that might be put to him regarding his right to vote. Among these questions were fourteen as to whether the person had in any way helped or sympathized with the Confederate States, or had failed to express sympathy with the United States. In this way all those who did not belong to the party in power could be kept from voting, and large numbers were so treated. In the city of Baltimore out of some forty thousand voters, only ten thousand were registered; and in the entire State, out of ninety-five thousand voters, only thirty-five thousand were registered. For a second time in the history of the State a minority was governing the majority.*

**Minority Rule for
a Second Time.**

In addition to this matter of the disfranchisement of many of the citizens, there was another which was receiving the attention of the people: namely, the political condition of the colored people since they had been set free.

The newspapers took up these questions, the people discussed them, and in the summer of 1865 a mass-meeting was held in Howard County, at which Montgomery Blair and other prominent men spoke in strong terms against the Registration Act. In January, 1866, a meeting was held in Baltimore at which it was resolved that delegates should be

**Political Status
of the Negroes.**

* See *ante*, p. 109.

elected throughout the State to a convention to be held at Baltimore for the purpose of devising the best plan to remedy the evils. There was some opposition to the movement. Governor Swann, for instance, while he acknowledged that a minority was governing the State, said that, nevertheless, all the "loyal citizens" were in that minority, and advised that no change be made in the law. The convention met at Baltimore on January 24, and the resolutions it passed, together with a petition containing twenty thousand signatures, were laid before the General Assembly. The Assembly in spite of this declared that the registration law ought not to be interfered with, but on the contrary ought to be "vigorously enforced." Public opinion, however, was strongly in favor of changing the election laws, and in consequence of this the newly appointed officers of registration were much more liberal in applying the Registration Act than the former ones had been. None the less, in the election of October, 1866, for Mayor of Baltimore, only about eight thousand votes were cast, and that in a city of two hundred and fifty thousand inhabitants. At the election the Police Commissioners had appointed as judges and clerks of election, and special police, only persons belonging to their own political party. In other ways they had disobeyed the law of elections, so that thousands of citizens signed a petition asking Governor Swann to remove them from office. The Governor examined the evidence against them, found them guilty, and dismissed them. They refused to give up their office and had the newly appointed Commissioners arrested, but when the matter came before the courts it was decided in favor of the new Commissioners. This was one step in the direction of election reform. The next step was taken by

the people in the November elections of the same year. For although every effort was made to elect the radical Union candidates, and although there was much fraud practiced and many citizens were not allowed to vote,

**The Reform Movement
Successful, 1866.**

nevertheless the Conservatives, those in favor of repealing the Registration Act, carried the State. They elected Oden Bowie Governor, and a two-thirds majority in both branches of the Legislature. Thus again the State threw off the shackles of minority rule.

As soon as the Legislature was organized it set about undoing the injustice caused by the laws passed during the war period. In January, 1867, it passed an Act restoring the rights of citizenship to those from whom these rights had been taken, only requiring them to take oath that they would bear "true faith and allegiance to the United States, and support the Constitution and laws thereof as the supreme law of the land."*

The contest in this last election had been between two divisions of the Union or Republican party; the Radicals, those who still wished to keep all Southern sympathizers from voting, being defeated by the more liberal Unionists who called themselves "Conservatives." The Democrats as a party had no candidates in the field, but joined the liberal wing of the Unionists and called themselves "Democratic Conservatives." The struggle between the two divisions of the Unionists was very bitter, and the defeated Radicals tried to get help from the Federal Gov-

* Compare this with the "iron-clad" oath given in Appendix C, p. 188.

ernment. The Washington authorities ordered investigations to be made in some of the election districts of the State, but nothing came of it. So bitter was the feeling at the time that it was even moved in the National House of Representatives that the Naval Academy be removed from Annapolis to some place in a "loyal" State.



NAVAL ACADEMY, ANNAPOLIS.

In May, 1867, a convention was held at Annapolis which drew up a new Constitution for the State, and in September of that year the people accepted the new Constitution by a vote of 47,152 in its favor, and 23,036 against it. This Constitution, with some amendments,* is still in force.

**The Present State
Constitution
Adopted, 1867.**

* Five out of six proposed amendments to the Constitution were adopted in the elections of 1891.

In 1870 the colored men of Maryland voted for the first time.* The elections passed off quietly, with a very large vote, although the Federal Government supervised them; that is, had its officers at all of the polls to see that the negroes were not driven away, or frightened into not voting. This election resulted in a victory for the Democrats, as did all the following elections until the year 1895. In that, and the three years after, the political position of the State was reversed. In 1895 a Republican Governor was elected, in 1896 the State "went Republican" in the Presidential election, in 1897 a Republican Comptroller was elected, and in 1898 four Republican and two Democratic Representatives to Congress. Thus the entire State Government was made up of Republicans, and that party had also a majority of members in the State Legislature. We have the remarkable spectacle, then, of a State which for twenty-five years always gave Democratic majorities turning in the course of two or three years completely to the other party. One cause of this is not far to seek. The adoption of a "free-silver" platform by the Democratic party in 1896 undoubtedly caused a large number of Democrats in Maryland, as in other States, to vote for Mr. McKinley. Moreover, in the city of Baltimore there is a large number of independent voters who do not belong either to the Democratic or to the Republican party. They vote sometimes with one, sometimes with the other, and sometimes for candidates of their own choosing, thinking in this way to act as a check on both political parties and to aid in the election of the best candidates possible.

* See *ante*, p. 65. There seem to have been a few cases of free negroes voting in the first years after Maryland became a State.

In the elections of 1899 the State returned to the Democratic ranks. In that year the present Governor, John Walter Smith, was elected by the Democratic party. The Democrats have also a majority in each house of the State Legislature (1900).

An important change in the election laws of the State was made in the year 1890, when the "Australian ballot" system was adopted. In the old system the voting tickets of the different political parties were printed on separate slips of paper, and the agents of these parties would stand along the street near the polls offering their tickets to everyone who came to vote; and we have seen that in one election, at least, tickets of a special color were used by one party. In the new system the government prints the names of all the candidates together on one large sheet, sometimes called a "blanket" or "folder," and all the tickets are in charge of an officer of election who gives one out to each voter. The voter on receiving his ticket goes to a little stall where no one can overlook him, and marks the names of those candidates for whom he wishes to vote. He then folds up his ticket again and it is put into the ballot-box folded, so that no one can see for whom he is voting. It is a much better system than the old, and prevents a great deal of fraud and dishonesty in the elections.

**The Secret Ballot
Introduced, 1890.**

CHAPTER XIV.

INSTITUTIONS AND SCHOOLS.

The years following the Civil War were marked by the foundation of a number of institutions in Maryland. The corner stone of the Peabody Institute in Baltimore



THE PEABODY INSTITUTE, BALTIMORE.

was laid as early as April 16, 1859, but the building was not finally completed until 1879. George Peabody, the founder, was born in Massachusetts, but lived for some time in Baltimore. The Institute was endowed by him with the sum of \$1,400,000 and contains, in addi-

**Many Institutions
Founded in the
Second Half of the
Nineteenth Century.**

tion to a very valuable library, an art museum, a conservatory of music, and lecture halls where courses of free public lectures are given. Another foundation is the McDonogh Institute, which was established by John McDonogh, a Baltimorean by birth, who on his death in 1850 left a large part of his fortune, about \$750,000, to found a school in Maryland. Owing to law-suits over the property, however, the school was not opened until 1873. It is situated on an estate of eight hundred acres within a few miles of Baltimore, and on this estate the boys learn practical and scientific farming in addition to the subjects usually taught in schools. The endowment has increased in value until now it is worth more than a million dollars. Another school founded by the liberality of an individual is the Tome Institute at Port Deposit, which was opened in 1894. This school was endowed by the Hon. Jacob Tome, originally, with \$957,750, but the endowment has since increased to \$3,000,000. It is intended to embrace all grades of schools, beginning with the kindergarten. A sanitarium where sick children, especially young babies, of the poor can be taken out of the hot city in the summer and receive careful treatment and nursing, was founded by Thomas Wilson in 1882. He bequeathed half a million dollars for the purpose, and



ENOCH PRATT.

the sanitarium was built on a farm of one hundred and seventy acres within a short distance of Baltimore. On January 21, 1882, Enoch Pratt, of Baltimore, offered that



THE ENOCH PRATT FREE LIBRARY, BALTIMORE.

city the sum of \$833,333 $\frac{1}{3}$, in addition to buildings to cost \$225,000 to found a free public library, on condition that the city appropriate \$50,000 a year forever for the support of the library. The gift was promptly accepted,

and the library, known as the Enoch Pratt Free Library of Baltimore, was formally opened January 4, 1886. Enoch Pratt, like George Peabody, was born in Massachusetts, but removed to Baltimore while still a young man.

On February 22, 1876, the Johns Hopkins University was formally opened in Baltimore. The founder, Johns

Hopkins, was born in Anne Arundel County. As a merchant and banker in Baltimore he grew very wealthy, and with his wealth he determined to found a university and a hospital. On his death he left to the University his country place, "Clifton," of over three hundred acres, and a fund of three million dollars. To the Hospital he



JOHNS HOPKINS.

gave thirteen acres of land in Baltimore City as a site, and in addition about two million dollars. Since the year 1893 the Johns Hopkins Hospital has formed a part of the Medical School of the University which was opened in that year. Miss Mary Garrett, of Baltimore, contributed liberally to the fund for founding the Medical School, on the condition that women should be admitted to its courses of study on the same terms as men. Dr. Daniel C. Gilman was selected by the trustees as president of the University, a position which he occupied until the year 1901, when he resigned and was succeeded by Professor Ira Remsen. To Dr. Gilman's efforts and ability were largely due the successful organization of the University and its successful management. The

fund left to the University by its founder consisted for the most part of Baltimore and Ohio Railroad stock, and when about ten years ago the railroad ceased to pay dividends on its stock, the income of the University was cut off. Twice the citizens of Baltimore raised liberal sums to pay the expenses of the University; but this was only temporary relief, and at length, in 1898, the Legislature voted to give the University the sum of fifty thousand dollars a year for two years. Thus Maryland followed the example



JOHNS HOPKINS HOSPITAL, BALTIMORE.

of so many of her sister States in giving aid to the great University within her borders.

A much older institution is St. John's College, at Annapolis, which was chartered in 1785 and began its work in 1789. The older King William's **Older Institutions.**

School was merged in it at the time of its foundation. Three years earlier, in 1782, near Chestertown, on the Eastern Shore, was founded Washington College, and these two colleges together were to constitute the University of Maryland. This University existed in

name until 1805, when the State discontinued its regular grants to the two colleges. The old charter was never repealed, but the University simply died out. The two separate colleges still flourished, however, and have since



PHYSICAL LABORATORY OF THE JOHNS HOPKINS UNIVERSITY, BALTIMORE.

received aid from the State. There is also the present University of Maryland, chartered by the State Legislature in 1807, and consisting of schools of law and medicine, in which many of the foremost lawyers and

physicians of the State have received their professional education.

The Maryland Institute for the Promotion of the Mechanic Arts, dating from 1825, owes its foundation to John H. B. Latrobe, who first suggested the idea of forming a mechanics' institute in Baltimore. The Institute was incorporated in 1850, and work on the present



ST. JOHN'S COLLEGE, ANNAPOLIS.

building was begun in 1851. Besides its use for exhibitions and lectures, the building has been the scene of some notable events. Receptions were given there to Kossuth in 1851, and to George Peabody in 1857; the body of Dr. Kane, the Arctic explorer, lay there in state; and the first embassy from Japan to this country was received

there in 1860. The hall has been several times used for national conventions of different political parties. An important part of the work of the Maryland Institute is its art school, in which are taught drawing, painting, modeling, and sculpture. The number of pupils attending the school is nearly a thousand.

Maryland has the honor of having founded the second agricultural college in America. In 1856 the Legis-



THE WOMAN'S COLLEGE, BALTIMORE.

lature passed an Act establishing the Maryland Agricultural College, where practical farming is taught and agricultural experiments are made. The College is situated on a farm of over four hundred acres in Prince George's County. There are also in the State Mount St. Mary's College, at Emmitsburg, founded in 1808; St. Charles' College, in Howard

**Other Schools
and Colleges
in the State.**

County, founded in 1830 by Charles Carroll, of Carrollton; Frederick College, at Frederick, chartered in 1830; New Windsor College, in Carroll County, established in 1843; Loyola College, at Baltimore, founded in 1852; Rock Hill College, near Ellicott City, chartered in 1865; Western Maryland College, at Westminster, organized in 1867; The Woman's College of Baltimore, chartered in 1885; Morgan College, at Baltimore, first organized in 1866, and chartered in 1890; and also a number of theological seminaries and professional schools.*

Throughout the State are many other schools of high standing; but especially to be mentioned is the excellent system of public schools, ranging from the primary and grammar schools to the Baltimore City College and the State Normal School. The first permanent fund for the support of free schools in the State was appropriated in the year 1812, and four years later nine School Commissioners were appointed for each county to distribute this fund and supervise the schools. But the present public school system dates from 1825, in which year the "Primary School Bill" was passed. In the same year the Legislature passed an Act giving the Mayor and City Council of Baltimore authority to establish public schools in that city, and in 1828 a board of commissioners of public schools was appointed. On September 21, 1829, the first public school in Baltimore was opened in the basement of the Presbyterian Church, on Eutaw between Saratoga and Mulberry Streets. It was in charge of William H. Coffin, who was the first public school teacher in Baltimore. One

*See the "History of Education in Maryland," by Bernard C. Steiner.

week later two more schools were opened, one for boys and one for girls, on Bond Street, near Canton Avenue. For twenty years the boys' schools were taught only by men, but since then women also have been employed, and now the greater part of the public school teachers are women. During the first year there were 269 pupils and three teachers. The number of each has increased until, according to the Eleventh Census (1890) there were in the public schools of Baltimore City—

	White,	Colored.
Pupils	42,101	6,749.
Teachers	1,171	16

and for the State—

	White.	Colored.
Pupils	148,224	36,027
Teachers	3,346	480

In the year 1899 there were in the schools of the State 236,033 pupils and 4,987 teachers; there were forty-one high schools; and the total school expenditures amounted to \$3,035,607. In the city of Baltimore the number of pupils was 79,684; the number of teachers 1,827, and the school expenditures amounted to \$1,321,513.

On October 20, 1839, the Male High School—a name changed to the Baltimore City College in 1866—was opened. It has proved a school of high standing where boys are excellently trained to enter upon business or professional life. In 1844 the Eastern and Western Female High Schools were established; they were the first high schools for girls only belonging to any public school system. The State Normal School was founded by the Legislature in 1865 for the purpose of educating

and training teachers for the public schools, and in 1884 a school of manual training was added to the public school system of Baltimore. In 1867 schools for colored children were added to the system, and these now have primary and grammar schools and a high school.



BALTIMORE CITY COLLEGE.

It is interesting to know that, before the days of kindergartens, a school of much the same kind was started in Baltimore by a certain Mr. Ibbertson. The following account of his school is given by Mrs. Trollope: "We visited the infant school, instituted in this city by Mr. Ibbertson, an amiable and intelligent Englishman. . . .

The children, of whom we saw about a hundred, boys and girls, were between eighteen months and six years. The apartment was filled with all sorts of instructive and amusing objects; a set of Dutch toys, arranged as a cabinet of natural history, was excellent; a numerous collection of large wooden bricks filled one corner of the room, the walls were hung with gay papers of different patterns, each representing some pretty group of figures; large and excellent coloured engravings of birds and beasts were exhibited in succession as the theme of a little lesson; and the sweet flute of Mr. Ibbertson gave tune and time to the prettiest little concert of chirping birds that I ever listened to."* Mrs. Trollope speaks in the same place of the neatness in dress of the boys and girls, and of their bright and well-bred manners; so different, she says, from the manners of other American children.

* "Domestic Manners of the Americans."

CHAPTER XV.

MARYLAND'S PROGRESS.

It is a fact which people do not fully realize that war costs money as well as human lives. The Civil War left the United States with a debt of about three thousand million dollars, but the war had cost the country many times that amount. Throughout the South towns, railroads and factories had been destroyed; farms and planta-



VIEW OF BALTIMORE HARBOR.

tions had been laid waste; and all business and industries were dead. During the war the regular trade of Baltimore had been much interfered with; but, on the other hand, the Confederates having blocked the Potomac River, a very large amount of freight was carried to Washington over the Baltimore and Ohio Railroad. This helped to take the place of the trade which was lost. The Federal Government bought supplies in Baltimore, and sent vessels

**Baltimore Loses
Much of its Trade
During the War.**

there, and to Annapolis, to be repaired and fitted out; so that new trades began to replace the old ones. But the condition of business for ten years after the war was bad. Trade was depressed, merchants had trouble in borrowing money to carry on their business, and one great market for the country, the Southern States, was so devastated and impoverished that the people who were left there had very little money to spend. They were glad if they could earn a bare living. All classes of the people



OLD FORT CARROLL. ENTRANCE TO BALTIMORE HARBOR.

suffered from the bad times; but the suffering fell, as it always does, heaviest on the laboring classes.

Of course, when trade is dull the railroads must suffer. They carry less freight and earn less money; and if their income is much reduced, they are compelled to pay their employees lower wages. In July, 1877, the

**The Baltimore and
Ohio Railroad
Strike of 1877.**

Baltimore and Ohio Railroad made a reduction of ten per cent. in the wages of all its employees, following in this the example of the other great railroads of the country. When they learned this, the brakemen and firemen of the freight

trains refused to work, and before long the strike had spread to the other employees and to other roads. In Baltimore no freight trains either went or came. There was rioting all along the line of the Baltimore and Ohio, and Governor Carroll was at length compelled to order the Fifth Maryland Regiment to Cumberland, where the riots and disorder were greatest. As the Fifth Regiment marched from its armory to Camden Station it was met by a mob, which, by the time that the corner of Lombard and Eutaw Streets was reached, was no longer

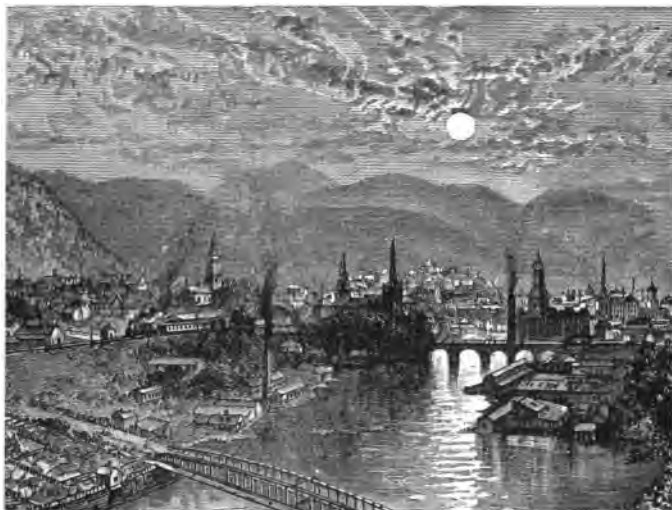


LAZARETTO LIGHTHOUSE, BALTIMORE HARBOR.

content to howl and jeer, but attacked the soldiers with bricks and stones. At Camden and Eutaw Streets the crowd was so thick and resolute that the soldiers could not go farther, until, with fixed bayonets, they charged through the mob into Camden Station. In the meantime three companies of the Sixth Regiment which were also ordered out, were trying to make their way to Camden Station. The Sixth Regiment Armory was surrounded by a mob of two or three thousand men and boys, who attacked the building with bricks and stones. When the

three companies detailed for duty tried to come out they were several times driven back. At length they fired on the mob, which then made way for them. All along the march to Camden Station the fighting continued between the mob and the soldiers. The disorder was so great that the Governor ordered the Fifth Regiment to remain in Baltimore. By

**Rioting and
Bloodshed.**



VIEW OF CUMBERLAND.

this time the crowd had increased to ten thousand persons. The rioters had destroyed several locomotives and cars, and at length set fire to Camden Station. Some of the fire engines which answered the alarm were driven back by the mob, others had their hose cut, but the police succeeded in driving the rioters back and the fire was put out. Governor Carroll called on the Federal Government.

for troops, but before they could arrive the mob had been broken up by the police. Nevertheless, the President sent some two thousand soldiers to Baltimore to act in case of further disturbance. The rioters made other at-



MAP OF BALTIMORE.

tempts on Camden Station, but after about two hundred of the worst of them had been arrested the remainder quieted down. The strike lasted only about a week in Maryland, but during that time it had cost the State

eighty-five thousand dollars. The worst excesses were committed, not by the striking railroad employees, but by tramps, thieves and loafers who made the strike an excuse for their own disorder; and the people, for the most part, were in sympathy with the true strikers.



POSTOFFICE, BALTIMORE.

Since that time the trade, commerce and manufactures of Maryland have flourished,* although the State has suffered with the rest of the country from those periods

* See Appendix B, p. 186, following.

of business depression, those "hard times" that come at intervals to the modern world. In the year 1880, in honor of its being the one hundred and fiftieth year since its foundation, Baltimore celebrated its **Baltimore Celebrates its Sesqui-Centennial, 1880.** sesqui-centennial. From the tenth to the fifteenth of October the city was in holiday dress; flags were flying, the houses and public



WASHINGTON MONUMENT, BALTIMORE.

buildings were decorated with bright colored bunting—gold and black, the Maryland colors, predominating—and the streets were thronged with a gay crowd of visitors, sightseers and masquers. Thousands of merchants with their families came to the city, and the people

of Baltimore did all in their power to welcome their visitors and show them the advantages of Baltimore as a place in which to buy. On Sunday, October 10, there were religious celebrations in the churches; on Monday there was a procession, ten miles long, made up largely of floats representing the various trades and industries of the city; on Tuesday a parade of the Masonic Order



NEW COURTHOUSE, BALTIMORE.

and school children; on Wednesday, a military display; on Thursday, another parade of national societies and benevolent associations. Monday's procession was so long that it occupied five hours in passing a given point. At night there were brilliant displays of fireworks. In fact, we may say that, in a modern way, the old-time hospitality, the old-time pleasure-loving and pleasure-giving spirit of the Marylanders shone forth.

Maryland and her towns have kept pace with the rest of the country in all modern developments. In Baltimore, especially, electric and cable lines have replaced the old horse-cars; large and handsome public buildings have been built; parks and "squares" have been laid out and



BARYE LION IN BALTIMORE.

made beautiful with flowers, shrubbery, fountains and statues. Handsome new bridges have been built over Jones' Falls, and an embankment has been built along the stream, so that there is no longer any danger from floods such as those which did so much damage to the city in early years. Periodically floods have fallen upon

Baltimore, causing loss of life and great loss of property. That of 1786 caused a loss of about half a million dollars, but the two most disastrous ones occurred in 1837 and 1868. In the former some twenty persons were drowned, and the destruction of property amounted to two million dollars. This was



CITY HALL, BALTIMORE.

exceeded by the damage done in 1868, however, when property to the value of three millions was destroyed. Jones' Falls overflowed its banks, washed away bridges, and even carried away houses in the flood of waters. A street car full of passengers was lifted from the tracks and swept down the street. In the region along the

lower banks of the stream the water rose in the streets and houses to a height of ten feet. The high stone embankment which now borders the Falls confines the water even in time of flood to the bed of the stream, and thus saves many lives and millions of dollars' worth of property. There was another flood in Maryland in the early summer of 1889. The Potomac, Patapsco and Susquehanna Rivers all overflowed their banks. Balti-



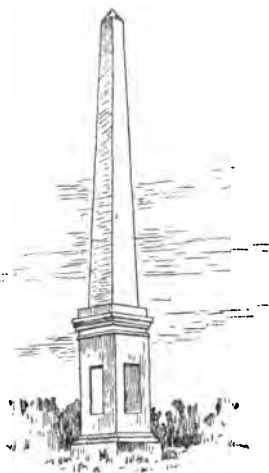
ENTRANCE TO DRUID HILL PARK, BALTIMORE.

more was protected, but on the upper Potomac fifty lives were lost, several hundred families were left homeless, and more than two million dollars' worth of property was destroyed. The upper waters of the Chesapeake were covered with logs and débris brought down on the Susquehanna flood.

In the State are schools for the blind and for deaf mutes, and asylums for the helpless and the insane. Thus the poor and the helpless are provided for. All these

things, of course, cost a great deal. To pay for them both State and city have had to borrow money; so that by the year 1890 the State had a debt of more than eight million dollars, while that of Baltimore City was nearly thirty-two millions.*

Thus the history of our State is, for the most part, a record of quiet progress. There have been some stirring events, some wrangling with the rest of the country, and some discord amongst ourselves. Of some of the acts of her sons the State cannot feel proud; but the deeds of many, of most of them, must fill her with an honest and noble pride. Maryland has taken her stand firmly as a part of the Union, ready at all times to give money and life for love of the country. In the late war with Spain her young men were ready, and although they were not sent into the thick of the fight as they wished, yet they bore with sickness and with privation. Let us then remember always the bravery, the steadfastness, the honor, the hospitality, and the cordial courtesy of our forefathers, and let us try to imitate them in these qualities. If we remember their faults, let it be only to guard ourselves against them. Let us remember



FIRST MONUMENT ERECTED TO
COLUMBUS IN AMERICA,
BALTIMORE.

* Debt of the State of Maryland on September 30, 1889, less sinking fund, \$8,434,367.22. Debt of the city of Baltimore (in 1890), less sinking fund, \$31,810,935.

that a good State is made by good citizens. Above all let us be ever ready, in war and in peace, in sickness and in health, in poverty and in prosperity, and for very love of her, to do all that we can for the honor and well-being of "Maryland, My Maryland."



APPENDIX.

A.

A LIST OF THE GOVERNORS OF MARYLAND.

PROPRIETARY GOVERNORS.

- 1633. Leonard Calvert.
- 1647. Thomas Greene.
- 1649. William Stone.
- 1654. Bennett and Matthews, Commissioners under Parliament.
- 1657. Josias Fendall.
- 1661. Philip Calvert.
- 1662. Charles Calvert.
- 1675. Charles, Lord Baltimore.
- 1676. Cecilius Calvert.
- 1676. Thomas Notley.
- 1681. Charles, Lord Baltimore.
- 1684. Board of Deputies.
- 1689. Convention of Protestant Associations.

ROYAL GOVERNORS.

- 1691. Sir Lionel Copley.
- 1693. Sir Edmond Andros.
- 1694. Francis Nicholson.
- 1699. Nathaniel Blackistone.
- 1703. Thomas Tench, President.
- 1704. John Seymour.
- 1709. Edward Lloyd, President.
- 1714. John Hart.

PROPRIETARY GOVERNORS.

- 1715. John Hart.
- 1720. Charles Calvert.
- 1727. Benedict Leonard Calvert.

- 1732. Samuel Ogle.
- 1733. Charles, Lord Baltimore.
- 1735. Samuel Ogle.
- 1742. Thomas Bladen.
- 1747. Samuel Ogle.
- 1752. Benjamin Tasker, President.
- 1753. Horatio Sharpe.
- 1769 to 1774. Robert Eden.

THE REVOLUTION.

- 1774 to 1776. Convention and Council of Safety.

STATE GOVERNORS.

- 1777. Thomas Johnson.
- 1779. Thomas Sim Lee.
- 1782. William Paca.
- 1785. William Smallwood.
- 1788. John Eager Howard.
- 1791. George Plater.
- 1792. Thomas Sim Lee.
- 1794. John H. Stone.
- 1797. John Henry.
- 1798. Benjamin Ogle.
- 1801. John Francis Mercer.
- 1803. Robert Bowie.
- 1806. Robert Wright.
- 1809. Edward Lloyd.
- 1811. Robert Bowie.
- 1812. Levin Winder.
- 1815. Charles Ridgely, of Hampton.
- 1818. Charles Goldsborough.
- 1819. Samuel Sprigg.
- 1822. Samuel Stevens, Jr.
- 1825. Joseph Kent.
- 1828. Daniel Martin.
- 1829. Thomas King Carroll.

- 1830. Daniel Martin.
- 1831. George Howard (acting).
- 1832. George Howard.
- 1833. James Thomas.
- 1835. Thomas W. Veazey.
- 1838. William Grason.
- 1841. Francis Thomas.
- 1844. Thomas G. Pratt.
- 1847. Philip F. Thomas.
- 1850. Enoch Louis Lowe.
- 1853. Thomas Watkins Ligon.
- 1857. Thomas Holliday Hicks.
- 1861. Augustus W. Bradford.
- 1865. Thomas Swann.
- 1867. Oden Bowie.
- 1872. William Pinkney Whyte. (Elected to the United States Senate, 1874.)
- 1874. James Black Groome.
- 1876. John Lee Carroll.
- 1880. William T. Hamilton.
- 1884. Robert M. McLane. (Appointed Minister to France, 1885.)
- 1886. Henry Lloyd.
- 1888. Elihu E. Jackson.
- 1892. Frank Brown.
- 1896. Lloyd Lowndes.
- 1900. John Walter Smith.

B.

STATISTICS OF POPULATION, ETC.

POPULATION OF MARYLAND.

Year.	Whites.	Negro Slaves.	Free Blacks.	Total.
1634	about	. . .	. . .	200
1638	. . .	. . .	. . .	700
1660	. . .	. . .	. . .	12,000
1665	. . .	. . .	. . .	16,000
1671	. . .	. . .	. . .	20,000
1701	. . .	. . .	. . .	30,000
1712	37,743	8,330	. . .	46,073
1715	40,700	9,500	. . .	50,200
1748	94,000	36,000	. . .	130,000
1756	107,963	46,225	. . .	154,188
1775	about	. . .	. . .	200,000
1782	170,688	83,362	. . .	254,050
1790	208,649	103,036	8,043	319,728
1800	216,326	105,635	19,587	341,548
1810	235,117	111,502	33,927	380,546
1820	260,222	107,398	39,730	407,350
1830	291,108	102,994	52,938	447,040
1840	318,204	89,737	62,078	470,019
1850	418,590	90,368	74,077	583,035
1860	515,918	87,189	83,942	687,049
1870	605,497	. . .	175,391	780,894
1880	724,693	. . .	210,230	934,943
1890	826,493	. . .	215,657	1,042,390
1900	. . .	. . .	. . .	1,189,946

POPULATION OF BALTIMORE.

Year.	Population.	Year.	Population.	Year.	Population.
1790	13,503	1830	80,620	1870	267,354
1800	26,514	1840	102,313	1880	332,313
1810	46,555	1850	169,054	1890	434,439
1820	62,738	1860	212,418	1900	503,957

The value of the products of the State for the year 1889:

Mineral products.....	\$5,089,447
Farm products.....	26,443,364
Products of fisheries.....	5,654,024
Products of manufactories.....	171,842,593
Products of manufactories, city of Baltimore.....	141,723,599

In the year 1895 there were 1,300 miles of steam railroad in the State.

THE ORIGIN OF THE NAMES OF THE COUNTIES OF MARYLAND, WITH THE DATE OF THEIR FORMATION.

COUNTY.	ORIGIN OF NAME.	DATE OF FORMATION.
St. Mary's—	In honor of the Virgin Mary.	1634
Anne Arundel—	After Lady Anne Arundel, wife of Cecil- ius, second Lord Baltimore.	1650
Kent—	After the County of Kent in England.	1650
Calvert—	The family name of the Proprietors.	1654
Charles—	After Charles, Lord Baltimore.	1658
Baltimore—	From the Proprietor's Irish barony; the Celtic name meaning "large town."	1659
Talbot—	After Lord Talbot, uncle of Lady Baltimore.	1660
Dorchester—	In honor of the Earl of Dorset.	1666
Somerset—	After Edward Somerset, son-in-law of Lord Baltimore.	1666
Cecil—	In honor of Cecilius, second Lord Baltimore.	1674
Prince George's—	After Prince George of Denmark.	1695
Queen Anne's—	In honor of Queen Anne of England.	1706
Worcester—	After Worcestershire in England.	1742
Frederick—	In honor of Frederick, Prince of Wales.	1748
Caroline—	After Lady Caroline Calvert, sister to Frederick, Lord Baltimore.	1773
Harford—	After Henry Harford, natural son of Frederick, Lord Baltimore.	1773
Montgomery—	In honor of General Montgomery.	1776

COUNTY.	ORIGIN OF NAME.	DATE OF FORMATION.
Washington—	In honor of George Washington.	1776
Alleghany—	After an Indian tribe, the Alligeni.	1789
Carroll—	After Charles Carroll of Carrollton.	1836
Howard—	After John Eager Howard.	1850
Wicomico—	After the river of that name.	1867
Garrett—	After John W. Garrett.	1872

C.

ARTICLES FROM THE CONSTITUTION OF 1864.

ARTICLE V.—The Constitution of the United States and the laws made in pursuance thereof, being the supreme law of the land, every citizen of this State owes paramount allegiance to the Constitution and Government of the United States, and is not bound by any law or ordinance of this State in contravention or subversion thereof.

ARTICLE XXIV.—That hereafter, in this State, there shall be neither slavery nor involuntary servitude, except in punishment of crime, whereof the party shall have been duly convicted; and all persons held to service or labor as slaves are hereby declared free.

THE "IRON-CLAD" OATH.

I do swear (or affirm) that I am a citizen of the United States, that I have never given any aid, countenance or support to those in armed hostility to the United States; that I have never expressed a desire for the triumph of said enemies over the arms of the United States, and that I will bear true faith and allegiance to the United States, and support the Constitution and laws thereof as the supreme law of the land, any law or ordinance of any State to the contrary notwithstanding; that I will in all respects demean myself as a loyal citizen of the United States, and I make this oath (or affirmation) without any reservation or evasion, and believe it to be binding on me.

D.

**A TABLE OF THE PRINCIPAL DATES IN THE HISTORY
OF MARYLAND.**

- 1582. George Calvert, first Lord Baltimore, born.
- 1606. Cecilius Calvert born.
- 1632. April 15. George Calvert died.
- 1632. June 20. Cecilius Calvert receives the charter of Maryland.
- 1633. November 22. The Ark and the Dove sail from England.
- 1634. March 25. The first settlers arrive in Maryland.
- 1635. The first General Assembly.
- 1635. Seizure of Claiborne's ships.
- 1638. Kent Island awarded to Lord Baltimore.
- 1644. Claiborne and Ingle's rebellion.
- 1648. Claiborne and Ingle driven from the colony.
- 1649. April 21. The Toleration Act passed.
- 1649. Puritans settle in Maryland.
- 1649. Providence or Annapolis founded.
- 1654. Puritans get control of the government.
- 1658. End of the Puritan revolt.
- 1675. November 30. Cecilius Calvert died.
- 1689. The Proprietary government overthrown.
- 1691. Maryland becomes a royal colony.
- 1695. First post route established.
- 1696. King William School founded.
- 1715. The Proprietary government restored.
- 1727. First newspaper published.
- 1730. Baltimore founded.
- 1745. Frederick founded.
- 1752. First theatre established.
- 1760. Northern boundary agreed upon.
- 1763-67. Mason and Dixon's line surveyed.
- 1769. Hagerstown founded.
- 1771. Death of Frederick the last Lord Baltimore.
- 1774. October 19. The Peggy Stewart burned.
- 1776. June 24. The end of the Colonial Government.

- 1776. June 28. Maryland concurs in declaring independence.
- 1776. August 14. First Constitutional Convention.
- 1776. The Constitution adopted.
- 1777. February 5. First General Assembly of the State of Maryland.
- 1781. March 1. Maryland ratifies the Articles of Confederation.
- 1782. Washington College founded.
- 1783. The importation of slaves forbidden.
- 1784. The remainder of the northern boundary surveyed.
- 1785. St. John's College chartered.
- 1788. April 28. Maryland ratifies the Constitution of the United States.
- 1795. Earliest labor strike in Maryland.
- 1796. Baltimore incorporated.
- 1802. The property qualification for the franchise abolished.
- 1807. The University of Maryland chartered.
- 1808. Rise of home manufactures in Maryland.
- 1812. Chesapeake Bay declared blockaded.
- 1814. August 24. The battle of Bladensburg.
- 1814. September 12. The battle of North Point.
- 1825. Enfranchisement of the Jews.
- 1825. Beginning of the Public School system.
- 1828. July 4. The corner stone of the Baltimore and Ohio Railroad laid in Baltimore.
- 1829. September 21. The first Public School in Baltimore opened.
- 1830. First steam locomotive used on the Baltimore and Ohio Railroad.
- 1835. The State invests in the stock of corporations.
- 1837. Disastrous flood in Baltimore.
- 1839. October 20. The Baltimore City College opened.
- 1842. Suspension of interest payments.
- 1844. The Baltimore Female High Schools established.
- 1848. Resumption of interest payments.
- 1856. The Maryland Agricultural College founded.
- 1861. April 19. Baltimore mob attacks Federal troops.
- 1862. First invasion of Maryland by the Confederates.
- 1863. Second invasion of Maryland.

- 1864. Third invasion of Maryland.
- 1864. Slavery abolished.
- 1865. The State Normal School founded.
- 1867. The rights of citizenship restored to Southern sympathizers.
- 1867. The present State Constitution adopted.
- 1868. Great flood in Baltimore.
- 1870. Colored men vote for the first time.
- 1876. February 22. The Johns Hopkins University opened.
- 1877. The Baltimore and Ohio Railroad strike.
- 1880. Baltimore celebrates its one hundred and fiftieth anniversary.
- 1890. Adoption of the secret ballot system.

E.

LIST OF BOOKS FOR CONSULTATION.

- Scharf, J. Thomas—A History of Maryland.
Browne, Wm. Hand—Maryland the History of a Palatinate; and George Calvert and Cecilius Calvert.
Fiske, John—Old Virginia and Her Neighbours.
Earle, Alice M.—Home Life in Colonial Days; and Child Life in Colonial Days.
Fisher, Sydney George—Men, Women and Manners in Colonial Times.

FICTION.

- Kennedy, John P.—Rob of the Bowl.
Churchill, Winston—Richard Carvel.

This list is not intended as in any sense a bibliography of Maryland history, but simply gives the titles of a few readily accessible books that may prove interesting for collateral reading.

CONSTITUTION OF MARYLAND,

ADOPTED BY THE CONVENTION,

WHICH ASSEMBLED AT THE CITY OF ANNAPOLIS, ON THE EIGHTH DAY OF MAY,
EIGHTEEN HUNDRED AND SIXTY-SEVEN, AND ADJOURNED ON THE
SEVENTEENTH DAY OF AUGUST, EIGHTEEN
HUNDRED AND SIXTY-SEVEN.

DECLARATION OF RIGHTS.

We, the People of the State of Maryland, grateful to Almighty God for our civil and religious liberty, and taking into our serious consideration the best means of establishing a good Constitution in this State for the sure foundation and more permanent security thereof, declare:

ARTICLE 1. That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole; and they have, at all times, the inalienable right to alter, reform or abolish their form of government, in such manner as they may deem expedient.

ART. 2. The Constitution of the United States and the laws made, or which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, are, and shall be the supreme law of the State; and the Judges of this State, and all the people of this State, are, and shall be bound thereby; anything in the Constitution or law of this State to the contrary notwithstanding.

ART. 3. The powers not delegated to the United States by the Constitution thereof, nor prohibited by it to the States, are reserved to the States respectively, or to the people thereof.

ART. 4. That the people of this State have the sole and exclusive right of regulating the internal government and police thereof, as a free, sovereign and independent State.

ART. 5. That the inhabitants of Maryland are entitled to the common law of England, and the trial by jury, according to the course of that law, and to the benefit of such of the English statutes as existed on the fourth day of July, 1776; and which, by experience, have been found applicable to their local and other circumstances, and have been introduced, used and practiced by the courts of law or equity; and also of all Acts of Assembly in force on the first day of June, 1867; except such as may have since

expired, or may be inconsistent with the provisions of this Constitution; subject, nevertheless, to the revision of, and amendment or repeal by, the Legislature of this State. And the inhabitants of Maryland are also entitled to all property derived to them from, or under the Charter granted by His Majesty Charles I. to Cecilius Calvert, Baron of Baltimore.

ART. 6. That all persons invested with the legislative or executive powers of government are the trustees of the public; and, as such, accountable for their conduct; Wherefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought, to reform the old, or establish a new government; the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish and destructive of the good and happiness of mankind.

ART. 7. That the right of the people to participate in the Legislature is the best security of liberty and the foundation of all free government; for this purpose, elections ought to be free and frequent; and every * male citizen, having the qualifications prescribed by the Constitution, ought to have the right of suffrage.

ART. 8. That the legislative, executive and judicial powers of government ought to be forever separate and distinct from each other; and no person exercising the functions of one of said departments shall assume or discharge the duties of any other.

ART. 9. That no power of suspending laws or the execution of laws, unless by, or derived from the Legislature, ought to be exercised, or allowed.

ART. 10. That freedom of speech and debate, or proceedings in the Legislature, ought not to be impeached in any court of judicature.

ART. 11. That Annapolis be the place of meeting of the Legislature; and the Legislature ought not to be convened, or held at any other place but from evident necessity.

ART. 12. That for redress of grievances, and for amending, strengthening and preserving the laws, the Legislature ought to be frequently convened.

ART. 13. That every man hath a right to petition the Legislature for the redress of grievances in a peaceable and orderly manner.

ART. 14. That no aid, charge, tax, burthen or fees ought to be rated or levied, under any pretence, without the consent of the Legislature.

ART. 15. That the levying of taxes by the poll is grievous and oppressive, and ought to be prohibited; that paupers ought not to be assessed for the support of the Government; but every person in the State, or person holding property therein, ought to contribute his proportion of public taxes for the support of the Government, according to his actual worth in real or personal property; yet, fines, duties or taxes may properly and justly be imposed, or laid, with a political view for the good government and benefit of the community.

*The word "white," omitted under the 15th Amendment to the Constitution of the United States.

ART. 16. That sanguinary laws ought to be avoided as far as it is consistent with the safety of the State; and no law to inflict cruel and unusual pains and penalties ought to be made in any case, or at any time, hereafter.

ART. 17. That retrospective laws, punishing acts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust and incompatible with liberty; wherefore, no *ex post facto* law ought to be made; nor any retrospective oath or restriction be imposed, or required.

ART. 18. That no law to attain particular persons of treason or felony, ought to be made in any case, or at any time, hereafter.

ART. 19. That every man, for any injury done to him in his person or property, ought to have remedy by the course of the law of the land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the law of the land.

ART. 20. That the trial of facts, where they arise, is one of the greatest securities of the lives, liberties and estate of the people.

ART. 21. That in all criminal prosecutions, every man hath a right to be informed of the accusation against him; to have a copy of the indictment, or charge, in due time (if required) to prepare for his defence; to be allowed counsel; to be confronted with the witnesses against him; to have process for his witnesses; to examine the witnesses for and against him on oath; and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

ART. 22. That no man ought to be compelled to give evidence against himself in a criminal case.

ART. 23. That no man ought to be taken or imprisoned or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner, destroyed, or deprived of his life, liberty or property, but by the judgment of his peers, or by the law of the land.

ART. 24. That slavery shall not be re-established in this State; but, having been abolished, under the policy and authority of the United States, compensation, in consideration thereof, is due from the United States.

ART. 25. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted, by the courts of law.

ART. 26. That all warrants, without oath or affirmation, to search suspected places, or to seize any person or property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place, or the person in special, are illegal, and ought not to be granted.

ART. 27. That no conviction shall work corruption of blood or forfeiture of estate.

ART. 28. That a well regulated militia is the proper and natural defence of a free government.

ART. 29. That standing armies are dangerous to liberty, and ought not to be raised, or kept up, without the consent of the Legislature.

ART. 30. That in all cases, and at all times, the military ought to be under strict subordination to, and control of, the civil power.

ART. 31. That no soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, except in the manner prescribed by law.

ART. 32. That no person except regular soldiers, marines, and mariners in the service of this State, or militia, when in actual service, ought, in any case, to be subject to, or punishable by martial law.

ART. 33. That the independency and uprightness of judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people; Wherefore, the judges shall not be removed, except in the manner, and for the causes, provided in this Constitution. No judge shall hold any other office, civil or military, or political trust, or employment of any kind, whatsoever, under the Constitution or laws of this State, or of the United States, or any of them; or receive fees, or perquisites of any kind, for the discharge of his official duties.

ART. 34. That a long continuance in the executive departments of power or trust is dangerous to liberty; a rotation therefore, in those departments is one of the best securities of permanent freedom.

ART. 35. That no person shall hold, at the same time, more than one office of profit, created by the Constitution or laws of this State; nor shall any person in public trust receive any present from any foreign prince or State, or from the United States, or any of them, without the approbation of this State.

ART. 36. That as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons are equally entitled to protection in their religious liberty; wherefore, no person ought, by any law to be molested in his person or estate, on account of his religious persuasion, or profession, or for his religious practice, unless, under the color of religion, he shall disturb the good order, peace or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil or religious rights; nor ought any person to be compelled to frequent, or maintain, or contribute, unless on contract, to maintain, any place of worship, or any ministry; nor shall any person, otherwise competent, be deemed incompetent as a witness, or juror, on account of his religious belief; provided, he believes in the existence of God, and that under his dispensation such person will be held morally accountable for his acts, and be rewarded or punished therefor either in this world or the world to come.

ART. 37. That no religious test ought ever to be required as a qualification for any office of profit or trust in this State, other than a declaration of belief in the existence of God; nor shall the Legislature prescribe any other oath of office than the oath prescribed by this Constitution.

ART. 38. That every gift, sale or devise of land, to any minister, public teacher or preacher of the gospel, as such, or to any religious sect, order or denomination, or to, or for the support, use or benefit of, or in trust for, any minister, public teacher or preacher of the gospel, as such, or any

religious sect, order or denomination; and every gift or sale of goods, or chattels, to go in succession, or to take place after the death of the seller or donor, to or for such support, use or benefit; and also every devise of goods or chattels to or for the support, use, or benefit of any minister, public teacher or preacher of the gospel, as such, or any religious sect, order, or denomination, without the prior, or subsequent sanction of the Legislature, shall be void; except always, any sale, gift, lease or devise of any quantity of land, not exceeding five acres, for a church, meeting house, or other house of worship, or parsonage, or for a burying ground, which shall be improved, enjoyed, or used only for such purpose; or such sale, gift, lease, or devise shall be void.

ART. 39. That the manner of administering an oath or affirmation to any person, ought to be such as those of the religious persuasion, profession, or denomination, of which he is a member, generally esteem the most effectual confirmation by the attestation of the Divine Being.

ART. 40. That the liberty of the press ought to be inviolably preserved; that every citizen of the State ought to be allowed to speak, write and publish his sentiments on all subjects, being responsible for the abuse of that privilege.

ART. 41. That monopolies are odious, contrary to the spirit of a free government and the principles of commerce, and ought not to be suffered.

ART. 42. That no title of nobility or hereditary honors ought to be granted in this State.

ART. 43. That the Legislature ought to encourage the diffusion of knowledge and virtue, the extension of a judicious system of general education, the promotion of literature, the arts, sciences, agriculture, commerce and manufactures, and the general melioration of the condition of the people.

ART. 44. That the provisions of the Constitution of the United States, and of this State, apply, as well in time of war, as in time of peace; and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good government, and tends to anarchy and despotism.

ART. 45. This enumeration of rights shall not be construed to impair or deny others retained by the people.

CONSTITUTION.

ARTICLE I.

ELECTIVE FRANCHISE.

SECTION 1. All elections shall be by ballot; and every male citizen of the United States, of the age of twenty-one years, or upwards, who has been a resident of the State for one year, and of the legislative district of Baltimore City, or of the county, in which he may offer to vote, for six months next preceding the election, shall be entitled to vote, in the ward or election district, in which he resides, at all elections hereafter to be held in this State; and in case any county, or city, shall be so divided as to form portions of different electoral districts, for the election of Representatives in Congress, Senators, Delegates, or other officers, then, to entitle a person to vote for such officer, he must have been a resident of that part of the county, or city, which shall form a part of the electoral district, in which he offers to vote, for six months next preceding the election; but a person, who shall have acquired a residence in such county, or city, entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed, until he shall have acquired a residence in the part of the county, or city, to which he has removed.

SEC. 2. No person above the age of twenty-one years, convicted of larceny, or other infamous crime, unless pardoned by the Governor, shall ever thereafter be entitled to vote at any election in this State; and no person under guardianship, as a lunatic, or, as a person *non compos mentis*, shall be entitled to vote.

SEC. 3. If any person shall give, or offer to give, directly or indirectly, any bribe, present, or reward, or any promise, or any security for the payment, or the delivery of money, or any other thing, to induce any voter to refrain from casting his vote, or to prevent him, in any way, from voting, or to procure a vote for any candidate, or person proposed, or voted for, as Elector of President and Vice-President of the United States, or Representative in Congress, or for any office of profit or trust, created by the Constitution or laws of this State, or by the ordinances, or authority of the Mayor and City Council of Baltimore, the person giving, or offering to give, and the person receiving the same, and any person, who gives, or causes to be given, an illegal vote, knowing it to be such, at any election to be hereafter held in this State, shall, on conviction in a court of law, in addition to the penalties now, or hereafter to be, imposed by law, be for-

ever disqualified to hold any office of profit or trust, or to vote at any election thereafter.

SEC. 4. It shall be the duty of the General Assembly to pass laws to punish, with fine and imprisonment, any person, who shall remove into any election district, or precinct of any ward of the city of Baltimore, not for the purpose of acquiring a *bona fide* residence therein, but for the purpose of voting at an approaching election, or, who shall vote in any election district, or ward, in which he does not reside (except in the case provided for in this article), or shall, at the same election, vote in more than one election district, or precinct, or shall vote, or offer to vote, in any name not his own, or in place of any other person of the same name, or shall vote in any county, in which he does not reside.

SEC. 5. The General Assembly shall provide by law for a uniform registration of the names of all the voters in this State, who possess the qualifications prescribed in this Article, which registration shall be conclusive evidence to the judges of election of the right of every person, thus registered, to vote at any election thereafter held in this State; but no person shall vote at any election, Federal or State, hereafter to be held in this State, or at any municipal election in the city of Baltimore, unless his name appears in the list of registered voters; and until the General Assembly shall hereafter pass an Act for the registration of the names of voters, the law in force on the first day of June, in the year 1867, in reference thereto, shall be continued in force, except so far as it may be inconsistent with the provisions of this Constitution; and the registry of voters, made in pursuance thereof, may be corrected, as provided in said law; but the names of all persons shall be added to the list of qualified voters by the officers of registration, who have the qualifications prescribed in the first section of this Article, and who are not disqualified under the provisions of the second and third sections thereof.

SEC. 6. Every person elected, or appointed, to any office of profit or trust, under this Constitution, or under the laws made pursuant thereto, shall, before he enters upon the duties of such office, take and subscribe the following oath or affirmation: I, ———, do swear (or affirm, as the case may be), that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of ———, according to the Constitution and laws of this State, (and, if a Governor, Senator, Member of the House of Delegates, or Judge,) that I will not directly or indirectly, receive the profits or any part of the profits, of any other office during the term of my acting as ———.

SEC. 7. Every person, hereafter elected, or appointed, to office, in this State, who shall refuse, or neglect, to take the oath, or affirmation of office, provided for in the sixth section of this Article, shall be considered as having refused to accept the said office; and a new election, or appointment, shall be made, as in case of refusal to accept, or resignation of an office;

and any person violating said oath, shall, on conviction thereof, in a court of law, in addition to the penalties now, or hereafter, to be imposed by law, be thereafter incapable of holding any office of profit or trust in this State.

ARTICLE II.

EXECUTIVE DEPARTMENT.

SECTION 1. The Executive power of the State shall be vested in a Governor, whose term of office shall commence on the second Wednesday of January next ensuing his election, and continue for four years, and until his successor shall have qualified; but the Governor chosen at the first election under this Constitution shall not enter upon the discharge of the duties of the office until the expiration of the term for which the present incumbent was elected; unless the said office shall become vacant by death, resignation, removal from the State, or other disqualification of the said incumbent.

SEC. 2. An election for Governor, under this Constitution, shall be held on the Tuesday next after the first Monday of November, in the year 1867, and on the same day and month in every fourth year thereafter, at the places of voting for Delegates to the General Assembly; and every person qualified to vote for Delegates, shall be qualified and entitled to vote for Governor; the election to be held in the same manner as the election of Delegates, and the returns thereof, under seal, to be addressed to the Speaker of the House of Delegates, and enclosed and transmitted to the Secretary of State, and delivered to said Speaker at the commencement of the session of the General Assembly, next ensuing said election.

SEC. 3. The Speaker of the House of Delegates shall then open the said returns, in the presence of both houses; and the person having the highest number of votes, and being constitutionally eligible, shall be the Governor, and shall qualify, in the manner herein prescribed, on the second Wednesday of January next ensuing his election, or as soon thereafter as may be practicable.

SEC. 4. If two or more persons shall have the highest and an equal number of votes for Governor, one of them shall be chosen Governor by the Senate and House of Delegates; and all questions in relation to the eligibility of Governor, and to the returns of said election, and to the number and legality of votes therein given, shall be determined by the House of Delegates; and if the person, or persons, having the highest number of votes be ineligible, the Governor shall be chosen by the Senate and House of Delegates. Every election of Governor by the General Assembly shall be determined by a joint majority of the Senate and House of Delegates; and the vote shall be taken *viva voce*. But if two or more persons shall have the highest and an equal number of votes, then, a second vote shall be

taken, which shall be confined to the persons having an equal number; and if the vote should again be equal, then the election of Governor shall be determined by lot between those, who shall have the highest and an equal number on the first vote.

SEC. 5. A person to be eligible to the office of Governor, must have attained the age of thirty years, and must have been for ten years a citizen of the State of Maryland, and for five years next preceding his election, a resident of the State, and, at the time of his election, a qualified voter therein.

SEC. 6. In case of the death, or resignation of the Governor, or of his removal from the State, or other disqualification, the General Assembly, if in session, or if not, at their next session, shall elect some other qualified person to be Governor for the residue of the term for which the said Governor had been elected.

SEC. 7. In case of any vacancy in the office of Governor, during the recess of the Legislature, the President of the Senate shall discharge the duties of said office, until a Governor is elected, as herein provided for; and in case of the death or resignation of the said President, or of his removal from the State, or of his refusal to serve, then the duties of said office shall, in like manner, and for the same interval, devolve upon the Speaker of the House of Delegates. And the Legislature may provide by law for the impeachment of the Governor; and in case of his conviction, or his inability, may declare what person shall perform the Executive duties; and for any vacancy in said office not herein provided for, provision may be made by law; and if such vacancy should occur without such provision being made, the Legislature shall be convened by the Secretary of State for the purpose of filling said vacancy.

SEC. 8. The Governor shall be the Commander-in-Chief of the land and naval forces of the State; and may call out the militia to repel invasions, suppress insurrections, and enforce the execution of the laws; but shall not take the command in person, without the consent of the Legislature.

SEC. 9. He shall take care that the laws are faithfully executed.

SEC. 10. He shall nominate, and, by and with the advice and consent of the Senate, appoint all civil and military officers of the State, whose appointment, or election, is not otherwise herein provided for; unless a different mode of appointment be prescribed by the law creating the office.

SEC. 11. In case of any vacancy, during the recess of the Senate, in any office which the Governor has power to fill, he shall appoint some suitable person to said office, whose commission shall continue in force until the end of the next session of the Legislature, or until some other person is appointed to the same office, whichever shall first occur; and the nomination of the person thus appointed, during the recess, or, of some other person in his place, shall be made to the Senate within thirty days after the next meeting of the Legislature.

SEC. 12. No person, after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at the request of

the Senate; or, be appointed to the same office during the recess of the Legislature.

SEC. 13. All civil officers appointed by the Governor and Senate, shall be nominated to the Senate within fifty days from the commencement of each regular session of the Legislature; and their term of office, except in cases otherwise provided for in this Constitution, shall commence on the first Monday of May next ensuing their appointment; and continue for two years (unless removed from office) and until their successors, respectively, qualify according to law; but the term of office of the Inspectors of Tobacco shall commence on the first Monday of March next ensuing their appointment.

SEC. 14. If a vacancy shall occur, during the session of the Senate, in any office which the Governor and Senate have the power to fill, the Governor shall nominate to the Senate before its final adjournment, a proper person to fill said vacancy, unless such vacancy occurs within ten days before said final adjournment.

SEC. 15. The Governor may suspend, or arrest any military officer of the State for disobedience of orders, or other military offence; and may remove him in pursuance of the sentence of a court martial; and may remove for incompetency, or misconduct, all civil officers who received appointment from the Executive for a term of years.

SEC. 16. The Governor shall convene the Legislature, or the Senate alone, on extraordinary occasions; and whenever from the presence of an enemy, or from any other cause, the seat of government shall become an unsafe place for the meeting of the Legislature, he may direct their sessions to be held at some other convenient place.

SEC. 17. To guard against hasty or partial legislation, and encroachments of the Legislative Department upon the co-ordinate Executive and Judicial Departments, every bill which shall have passed the House of Delegates and the Senate, shall, before it becomes a law, be presented to the Governor of the State; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, which House shall enter the objections at large on its Journal, and proceed to reconsider the bill; if, after such re-consideration, three-fifths of the members elected to that House shall pass the bill, it shall be sent, with the objections, to the other House, by which it shall likewise be re-considered, and if passed by three-fifths of the members elected to that House, it shall become a law. But, in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill, shall be entered on the journal of each House, respectively. If any bill shall not be returned by the Governor within six days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he signed it; unless the General Assembly shall, by adjournment, prevent its return, in which case it shall not be a law.

SEC. 18. It shall be the duty of the Governor, semi-annually (and oftener, if he deem it expedient) to examine under oath the Treasurer and Comp-

troller of the State on all matters pertaining to their respective offices; and inspect and review their bank and other account books.

SEC. 19. He shall, from time to time, inform the Legislature of the condition of the State and recommend to their consideration such measures as he may judge necessary and expedient.

SEC. 20. He shall have power to grant reprieves and pardons, except in cases of impeachment, and in cases in which he is prohibited by other Articles of this Constitution; and to remit fines and forfeitures for offences against the State; but shall not remit the principal, or interest of any debt due the State, except, in cases of fines or forfeitures; and before granting a *nolle prosequi*, or pardon, he shall give notice in one or more newspapers, of the application made for it, and of the day on, or after which, his decision will be given; and in every case, in which he exercises this power, he shall report to either branch of the Legislature, whenever required, the petitions, recommendations, and reasons, which influenced his decision.

SEC. 21. The Governor shall reside at the seat of government, and receive for his services an annual salary of \$4,500.

SEC. 22. A Secretary of State shall be appointed by the Governor, by and with the advice and consent of the Senate, who shall continue in office, unless sooner removed by the Governor, till the end of the official term of the Governor from whom he received his appointment, and receive an annual salary of \$2,000, and shall reside at the seat of Government; and the office of Private Secretary shall thenceforth cease.

SEC. 23. The Secretary of State shall carefully keep and preserve a record of all official acts and proceedings, which may at all times be inspected by a committee of either branch of the Legislature; and he shall perform such other duties as may be prescribed by law, or as may properly belong to his office, together with all clerical duty belonging to the Executive Department.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

SECTION 1. The Legislature shall consist of two distinct branches; a Senate, and a House of Delegates, and shall be styled the General Assembly of Maryland.

SEC. 2. Each county in the State, and each of the three legislative districts of Baltimore City, as they are now, or may hereafter be defined, shall be entitled to one Senator, who shall be elected by the qualified voters of the counties, and of the legislative districts of Baltimore City, respectively, and shall serve for four years from the date of his election, subject to the classification of Senators, hereafter provided for.

SEC. 3. Until the taking and publishing of the next national census, or until the enumeration of the population of this State, under the authority thereof, the several counties, and the city of Baltimore, shall have repre-

sentation in the House of Delegates as follows: Allegany County, five Delegates; Anne Arundel County, three Delegates; Baltimore County, six Delegates; each of the three legislative districts of the city of Baltimore, six Delegates; Calvert County, two Delegates; Caroline County, two Delegates; Carroll County, four Delegates; Cecil County, four Delegates; Charles County, two Delegates; Dorchester County, three Delegates; Frederick County, six Delegates; Harford County, four Delegates; Howard County, two Delegates; Kent County, two Delegates; Montgomery County, three Delegates; Prince George's County, three Delegates; Queen Anne's County, two Delegates; Saint Mary's County, two Delegates; Somerset County, three Delegates; Talbot County, two Delegates; Washington County, five Delegates; and Worcester County, three Delegates.

SEC. 4. As soon as may be after the taking and publishing of the next national census, or after the enumeration of the population of this State, under the authority thereof, there shall be an apportionment of representation in the House of Delegates to be made on the following basis, to wit: Each of the several counties of the State, having a population of 18,000 souls, or less, shall be entitled to two Delegates, and every county having a population of over 18,000, and less than 28,000 souls, shall be entitled to three Delegates; and every county, having a population of 28,000, and less than 40,000 souls, shall be entitled to four Delegates; and every county, having a population of 40,000, and less than 55,000 souls, shall be entitled to five Delegates; and every county, having a population of 55,000 souls, and upwards, shall be entitled to six Delegates, and no more; and each of the three legislative districts of the city of Baltimore shall be entitled to the number of Delegates to which the largest county shall, or may be entitled, under the foregoing apportionment. And the General Assembly shall have power to provide by law, from time to time, for altering and changing the boundaries of the three existing legislative districts of the city of Baltimore, so as to make them, as near as may be, of equal population; but said districts shall always consist of contiguous territory.

SEC. 5. Immediately after the taking and publishing of the next national census, or after any State enumeration of population, as aforesaid, it shall be the duty of the Governor, then being, to arrange the representation in said House of Delegates, in accordance with the apportionment herein provided for; and to declare, by proclamation, the number of Delegates, to which each county, and the city of Baltimore may be entitled under such apportionment; and after every national census taken thereafter, or after any State enumeration of population, thereafter made, it shall be the duty of the Governor, for the time being, to make similar adjustment of representation, and to declare the same by proclamation, as aforesaid.

SEC. 6. The members of the House of Delegates shall be elected by the qualified voters of the counties, and the legislative districts of Baltimore City, respectively, to serve for two years, from the day of their election.

SEC. 7. The first election for Senators and Delegates shall take place on the Tuesday next, after the first Monday in the month of November, 1867;

and the election for Delegates, and as nearly as practicable, for one-half of the Senators, shall be held on the same day, in every second year thereafter.

SEC. 8. Immediately after the Senate shall have convened, after the first election, under this Constitution, the Senators shall be divided by lot, into two classes, as nearly equal in number as may be—Senators of the first class shall go out of office at the expiration of two years, and Senators shall be elected on the Tuesday next after the first Monday in the month of November, 1869, for the term of four years, to supply their places; so that, after the first election, one-half of the Senators may be chosen every second year. In case the number of Senators be hereafter increased, such classification of the additional Senators shall be made as to preserve, as nearly as may be, an equal number in each class.

SEC. 9. No person shall be eligible as a Senator or Delegate, who at the time of his election, is not a citizen of the State of Maryland, and who has not resided therein, for at least three years, next preceding the day of his election, and the last year thereof, in the county, or in the legislative district of Baltimore City, which he may be chosen to represent, if such county, or legislative district of said city, shall have been so long established; and if not, then in the county, or city, from which, in whole, or in part, the same may have been formed; nor shall any person be eligible as a Senator, unless he shall have attained the age of twenty-five years, nor as a Delegate, unless he shall have attained the age of twenty-one years, at the time of his election.

SEC. 10. No member of Congress, or person holding any civil, or military office under the United States, shall be eligible as a Senator, or Delegate; and if any person shall after his election as Senator, or Delegate, be elected to Congress, or be appointed to any office, civil or military, under the Government of the United States, his acceptance thereof, shall vacate his seat.

SEC. 11. No minister or preacher of the Gospel, or of any religious creed, or denomination, and no person holding any civil office of profit or trust, under this State, except Justices of the Peace, shall be eligible as Senator, or Delegate.

SEC. 12. No collector, receiver, or holder of public money shall be eligible as Senator or Delegate, or to any office of profit, or trust, under this State, until he shall have accounted for, and paid into the Treasury all sums on the books thereof charged to, and due by him.

SEC. 13. In case of death, disqualification, resignation, refusal to act, expulsion, or removal from the county, or city, for which he shall have been elected, of any person, who shall have been chosen as a Delegate, or Senator, or in case of a tie between two or more such qualified persons, a warrant of election shall be issued by the Speaker of the House of Delegates, or President of the Senate, as the case may be, for the election of another person in his place, of which election, not less than ten days' notice shall be given, exclusive of the day of the publication of the notice, and of the day of election; and, if during the recess of the Legislature, and more than ten days before its termination, such death shall occur, or such resignation,

refusal to act, or disqualification be communicated, in writing to the Governor by the person, so resigning, refusing, or disqualified, it shall be the duty of the Governor to issue a warrant of election to supply the vacancy thus created, in the same manner, the said Speaker, or President might have done, during the session of the General Assembly; provided, however, that unless a meeting of the General Assembly may intervene, the election, thus ordered to fill such vacancy, shall be held on the day of the ensuing election for Delegates and Senators.

SEC. 14. The General Assembly shall meet on the first Wednesday of January, 1868, and on the same day in every second year thereafter, and at no other time, unless convened by proclamation of the Governor.

SEC. 15. The General Assembly may continue its session so long as, in its judgment, the public interest may require, for a period not longer than ninety days; and each member thereof, shall receive a compensation of \$5 per diem, for every day he shall attend the session, but not for such days as he may be absent, unless absent on account of sickness, or by leave of the House of which he is a member; and he shall also receive such mileage as may be allowed by law, not exceeding twenty cents per mile; and the presiding officer of each House shall receive an additional compensation of \$3 per day. When the General Assembly shall be convened by proclamation of the Governor, the session shall not continue longer than thirty days; and in such case, the compensation shall be the same as herein prescribed.

SEC. 16. No book, or other printed matter, not appertaining to the business of the session, shall be purchased, or subscribed for, for the use of the members of the General Assembly, or be distributed among them, at the public expense.

SEC. 17. No Senator or Delegate, after qualifying as such, notwithstanding he may thereafter resign, shall during the whole period of time, for which he was elected, be eligible to any office, which shall have been created, or the salary, or profits of which shall have been increased, during such term.

SEC. 18. No Senator, or Delegate, shall be liable in any civil action, or criminal prosecution, whatever, for words spoken in debate.

SEC. 19. Each House shall be judge of the qualifications and elections of its members, as prescribed by the Constitution and laws of the State; shall appoint its own officers, determine the rules of its own proceedings, punish a member for disorderly or disrespectful behavior, and with the consent of two-thirds of its whole number of members elected, expel a member; but no member shall be expelled a second time for the same offence.

SEC. 20. A majority of the whole number of members elected to each House shall constitute a quorum for the transaction of business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner, and under such penalties, as each House may prescribe.

SEC. 21. The doors of each House, and of the Committee of the Whole, shall be open, except when the business is such as ought to be kept secret.

SEC. 22. Each House shall keep a journal of its proceedings, and cause the same to be published. The yeas and nays of members on any question, shall at the call of any five of them in the House of Delegates, or one in the Senate, be entered on the Journal.

SEC. 23. Each House may punish by imprisonment, during the session of the General Assembly, any person, not a member, for disrespectful, or disorderly behavior in its presence, or for obstructing any of its proceedings, or any of its officers in the execution of their duties; provided such imprisonment shall not, at any one time, exceed ten days.

SEC. 24. The House of Delegates may inquire, on the oath of witnesses, into all complaints, grievances and offences, as the Grand Inquest of the State, and may commit any person, for any crime, to the public jail, there to remain, until discharged by due course of law. They may examine and pass all accounts of the State, relating either to the collection or expenditure of the revenue, and appoint auditors to state and adjust the same. They may call for all public, or official papers and records, and send for persons, whom they may judge necessary, in the course of their inquiries, concerning affairs relating to the public interest, and may direct all office bonds which shall be made payable to the State, to be used for any breach thereof; and with the view to the more certain prevention or correction of the abuses in the expenditures of the money of the State, the General Assembly shall create, at every session thereof, a joint Standing Committee of the Senate and House of Delegates, who shall have power to send for persons, and examine them on oath, and call for public or official papers and records, and whose duty it shall be to examine and report upon all contracts made for printing stationery, and purchases for the public offices, and the library, and all expenditures therein, and upon all matters of alleged abuse in expenditures, to which their attention may be called by resolution of either House of the General Assembly.

SEC. 25. Neither House shall, without the consent of the other, adjourn for more than three days, at any one time, nor adjourn to any other place, than that in which the House shall be sitting, without the concurrent vote of two-thirds of the members present.

SEC. 26. The House of Delegates shall have the sole power of impeachment in all cases; but a majority of all the members elected must concur in the impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose, the Senators shall be on oath, or affirmation, to do justice according to the law and the evidence; but no person shall be convicted without the concurrence of two-thirds of all the Senators elected.

SEC. 27. Any bill may originate in either House of the General Assembly, and be altered, amended, or rejected by the other; but no bill shall originate in either House during the last ten days of the session, unless two-thirds of the members elected thereto shall so determine by yeas and nays; nor shall any bill become a law, until it be read on three different days of the session in each House, unless two-thirds of the members elected to the House, where such bill is pending, shall so determine by yeas and nays;

and no bill shall be read a third time until it shall have been actually engrossed for a third reading.

SEC. 28. No bill shall become a law unless it be passed in each House by a majority of the whole number of members elected, and on its final passage, the yeas and nays be recorded; nor shall any resolution, requiring the action of both houses, be passed except in the same manner.

SEC. 29. The style of all laws of this State shall be, "Be it enacted by the General Assembly of Maryland:" and all laws shall be passed by original bill; and every law enacted by the General Assembly shall embrace but one subject, and that shall be described in its title; and no law, nor section of law, shall be revived or amended by reference to its title, or section only; nor shall any law be construed by reason of its title, to grant powers, or confer rights which are not expressly contained in the body of the Act; and it shall be the duty of the General Assembly, in amending any article or section of the Code of Laws of this State, to enact the same, as the said article, or section would read when amended. And whenever the General Assembly shall enact any public general law, not amendatory of any section, or article in the said Code, it shall be the duty of the General Assembly to enact the same, in articles and sections, in the same manner as the Code is arranged, and to provide for the publication of all additions and alterations, which may be made to the said Code.

SEC. 30. Every bill, when passed by the General Assembly, and sealed with the Great Seal, shall be presented to the Governor, who, if he approves it, shall sign the same in the presence of the presiding officers and chief clerks of the Senate and House of Delegates. Every law shall be recorded in the office of the Court of Appeals, and in due time, be printed, published and certified under the Great Seal, to the several courts, in the same manner as has been heretofore usual in this State.

SEC. 31. No law passed by the General Assembly shall take effect, until the first day of June, next after the session, at which it may be passed, unless it be otherwise expressly declared therein.

SEC. 32. No money shall be drawn from the Treasury of the State, by any order or resolution, nor except in accordance with an appropriation by law, and every such law shall distinctly specify the sum appropriated, and the object, to which it shall be applied; provided, that nothing herein contained shall prevent the General Assembly from placing a contingent fund at the disposal of the Executive, who shall report to the General Assembly, at each session, the amount expended, and the purposes to which it was applied. An accurate statement of the receipts and expenditures of the public money, shall be attached to, and published with the laws, after each regular session of the General Assembly.

SEC. 33. The General Assembly shall not pass local, or special laws, in any of the following enumerated cases, viz: For extending the time for the collection of taxes; granting divorces; changing the name of any person; providing for the sale of real estate, belonging to minors, or other persons laboring under legal disabilities, by executors, administrators, guardians or trustees; giving effect to informal, or invalid deeds or wills; refunding

money paid into the State Treasury, or releasing persons from their debts, or obligations to the State, unless recommended by the Governor, or officers of the Treasury Department. And the General Assembly shall pass no special law, for any case, for which provision has been made, by an existing general law. The General Assembly, at its first session after the adoption of this Constitution, shall pass general laws, providing for the cases enumerated in this section, which are not already adequately provided for, and for all other cases, where a general law can be made applicable.

SEC. 34. No debt shall be hereafter contracted by the General Assembly, unless such debt shall be authorized by a law, providing for the collection of an annual tax, or taxes, sufficient to pay the interest on such debt, as it falls due, and also, to discharge the principal thereof, within fifteen years from the time of contracting the same; and the taxes, laid for this purpose, shall not be repealed, or applied to any other object, until the said debt, and interest thereon, shall be fully discharged. The credit of the State shall not in any manner be given, or loaned to, or in aid of any individual, association, or corporation; nor shall the General Assembly have the power, in any mode, to involve the State in the construction of works of internal improvement, nor in granting any aid thereto, which shall involve the faith, or credit of the State; nor make any appropriation therefor, except in aid of the construction of works of internal improvement, in the counties of Saint Mary's, Charles and Calvert, which have had no direct advantage, from such works, as have been heretofore aided by the State; and provided, that such aid, advances, or appropriations shall not exceed in the aggregate the sum of \$500,000. And they shall not use, or appropriate the proceeds of the internal improvement companies, or of the State tax, now levied, or which may hereafter be levied, to pay off the public debt, to any other purpose until the interest and debt are fully paid, or the sinking fund shall be equal to the amount of the outstanding debt; but the General Assembly may, without laying a tax, borrow an amount never to exceed \$50,000, to meet temporary deficiencies in the Treasury, and may contract debts to any amount that may be necessary for the defence of the State.

SEC. 35. No extra compensation shall be granted, or allowed, by the General Assembly, to any public officer, agent, servant or contractor, after the service shall have been rendered, or the contract entered into; nor shall the salary, or compensation of any public officer be increased, or diminished during his term of office.

SEC. 36. No lottery grant shall ever hereafter be authorized by the General Assembly.

SEC. 37. The General Assembly shall pass no law providing for payment, by this State, for slaves emancipated from servitude in this State; but they shall adopt such measures, as they may deem expedient, to obtain from the United States, compensation for such slaves, and to receive, and distribute the same, equitably, to the persons entitled.

SEC. 38. No person shall be imprisoned for debt.

SEC. 39. The General Assembly shall grant no charter for banking purposes, nor renew any banking corporation, now in existence, except upon

the condition that the stockholders shall be liable to the amount of their respective share, or shares of stock in such banking institution, for all its debts and liabilities, upon note, bill, or otherwise; the books, papers, and accounts of all banks shall be open to inspection, under such regulations as may be prescribed by law.

SEC. 40. The General Assembly shall enact no law authorizing private property, to be taken for public use, without just compensation, as agreed upon between the parties, or awarded by a jury, being first paid, or tendered to the party, entitled to such compensation.

SEC. 41. Any citizen of this State, who shall after the adoption of this Constitution, either in, or out of this State, fight a duel with deadly weapons, or send, or accept a challenge so to do, or who shall act as a second, or knowingly aid or assist in any manner, those offending, shall, ever thereafter be incapable of holding any office of profit or trust, under this State, unless relieved from the disability by an Act of the Legislature.

SEC. 42. The General Assembly shall pass laws necessary for the preservation of the purity of elections.

SEC. 43. The property of the wife shall be protected from the debts of her husband.

SEC. 44. Laws shall be passed by the General Assembly, to protect from execution a reasonable amount of the property of the debtor, not exceeding in value, the sum of \$500.

SEC. 45. The General Assembly shall provide a simple and uniform system of charges in the offices of Clerks of Courts, and Registers of Wills, in the counties of this State, and the city of Baltimore, and for the collection thereof; provided, the amount of compensation to any of the said officers, in the various counties, shall not exceed the sum of \$3,000 a year, and in the city of Baltimore \$3,500 a year, over and above office expenses, and compensation to assistants; and provided further, that such compensation, of Clerks, Registers, assistants and office expenses shall always be paid out of the fees, or receipts of the offices, respectively.

SEC. 46. The General Assembly shall have power to receive from the United States, any grant, or donation of land, money, or securities for any purpose designated by the United States, and shall administer, or distribute the same according to the conditions of the said grant.

SEC. 47. The General Assembly shall make provisions for all cases of contested elections of any of the officers, not herein provided for.

SEC. 48. Corporations may be formed under general laws; but shall not be created by special Act, except for municipal purposes, and except in cases, where no general laws exist, providing for the creation of corporations of the same general character, as the corporation proposed to be created; and any Act of incorporation, passed in violation of this section shall be void. And as soon as practicable, after the adoption of this Constitution, it shall be the duty of the Governor, to appoint three persons learned in the law, whose duty it shall be, to prepare drafts of general laws, providing for the creation of corporations, in such cases as may be proper, and for all other cases, where a general law can be made; and for revising and amend-

ing, so far as may be necessary, or expedient, the general laws which may be in existence on the first day of June, 1867, providing for the creation of corporations, and for other purposes; and such drafts of laws shall by said commissioners, be submitted to the General Assembly, at its first meeting, for its action thereon; and each of said commissioners shall receive a compensation of \$500 for his services, as such commissioner.

All charters granted, or adopted, in pursuance of this section, and all charters heretofore granted and created, subject to repeal or modification, may be altered, from time to time, or be repealed; provided, nothing herein contained shall be construed to extend to banks, or the incorporation thereof.

SEC. 49. The General Assembly shall have power to regulate by law, not inconsistent with this Constitution, all matters which relate to the judges of election, time, place and manner of holding elections in this State, and of making returns thereof.

SEC. 50. It shall be the duty of the General Assembly, at its first session, held after the adoption of this Constitution, to provide by law for the punishment, by fine, or imprisonment in the penitentiary, or both, in the discretion of the court, of any person, who shall bribe, or attempt to bribe, any executive or judicial officer of the State of Maryland, or any member, or officer of the General Assembly of the State of Maryland, or of any municipal corporation in the State of Maryland, or any executive officer of such corporation, in order to influence him in the performance of any of his official duties; and, also, to provide by law for the punishment, by fine, or imprisonment in the penitentiary, or both, in the discretion of the court, of any of said officers, or members, who shall demand, or receive any bribe, fee, reward, or testimonial, for the performance of his official duties, or for neglecting, or failing to perform the same; and also, to provide by law for compelling any person, so bribing, or attempting to bribe, or so demanding, or receiving a bribe, fee, reward, or testimonial, to testify against any person, or persons, who may have committed any of said offences; provided, that any person, so compelled to testify, shall be exempted from trial and punishment for the offence, of which he may have been guilty; and any person, convicted of such offence, shall, as part of the punishment thereof, be forever disfranchised and disqualified from holding any office of trust, or profit, in this State.

SEC. 51. The personal property of residents of this State, shall be subject to taxation in the county, or city, where the resident *bona fide* resides for the greater part of the year, for which the tax may, or shall be levied, and not elsewhere, except goods and chattels permanently located, which shall be taxed in the city, or county where they are so located.

SEC. 52. The General Assembly shall appropriate no money out of the Treasury for payment of any private claim against the State exceeding \$300, unless said claim shall have been first presented to the Comptroller of the Treasury, together with the proofs upon which the same is founded, and reported upon by him.

SEC. 53. No person shall be incompetent, as a witness, on account of race or color, unless hereafter so declared by Act of the General Assembly.

SEC. 54. No county of this State shall contract any debt, or obligation, in the construction of any railroad, canal, or other work of internal improvement, nor give, or loan its credit to, or in aid of any association, or corporation, unless authorized by an Act of the General Assembly, which shall be published for two months before the next election for members of the House of Delegates in the newspapers published in such county, and shall also be approved by a majority of all the members elected to each House of the General Assembly at its next session after said election.

SEC. 55. The General Assembly shall pass no law suspending the privilege of the writ of *habeas corpus*.

SEC. 56. The General Assembly shall have power to pass all such laws as may be necessary and proper for carrying into execution the powers vested, by this Constitution, in any department, or office of the Government, and the duties imposed upon them thereby.

SEC. 57. The legal rate of interest shall be *six per cent. per annum*; unless otherwise provided by the General Assembly.

SEC. 58. The Legislature at its first session after the ratification of this Constitution shall provide by law for State and municipal taxation upon the revenues accruing from business done in the State by all foreign corporations.

SEC. 59. The office of "State Pension Commissioner" is hereby abolished; and the Legislature shall pass no law creating such office, or establishing any general pension system within this State.

ARTICLE IV.

JUDICIARY DEPARTMENT.

PART I.—GENERAL PROVISIONS.

SECTION 1. The judicial power of this State shall be vested in a Court of Appeals, Circuit Courts, Orphans' Courts, such courts for the city of Baltimore as are hereinafter provided for, and Justices of the Peace; all said courts shall be courts of record, and each shall have a seal to be used in the authentication of all process issuing therefrom. The process and official character of Justices of the Peace shall be authenticated as hath heretofore been practiced in this State, or may hereafter be prescribed by law.

SEC. 2. The Judges of all the said courts shall be citizens of the State of Maryland, and qualified voters under this Constitution, and shall have resided therein not less than five years, and not less than six months next preceding their election, or appointment, in the judicial circuit, as the case may be, for which they may be, respectively, elected or appointed. They shall be not less than thirty years of age at the time of their election, or

appointment, and shall be selected from those who have been admitted to practise law in this State, and who are most distinguished for integrity, wisdom and sound legal knowledge.

SEC. 3. The Judges of the said several courts shall be elected in the counties by the qualified voters in their respective judicial circuits, as hereinafter provided, at the general election to be held on the Tuesday after the first Monday in November next, and in the city of Baltimore, on the fourth Wednesday of October next. Each of the said Judges shall hold his office for the term of fifteen years from the time of his election, and until his successor is elected and qualified, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto until he shall have attained the age of seventy years, and not after; but in case of any Judge, who shall attain the age of seventy years whilst in office, such Judge may be continued in office by the General Assembly for such further time as they may think fit; not to exceed the term for which he was elected, by a resolution to be passed at the session next preceding his attaining said age. In case of the inability of any of said Judges to discharge his duties with efficiency, by reason of continued sickness, or of physical or mental infirmity, it shall be in the power of the General Assembly, two-thirds of the members of each House concurring, with the approval of the Governor, to retire said Judge from office.

SEC. 4. Any Judge shall be removed from office by the Governor, on conviction in a court of law, of incompetency, of wilful neglect of duty, misbehavior in office, or any other crime, or on impeachment, according to this Constitution, or the laws of the State; or on the address of the General Assembly, two-thirds of each House concurring in such address, and the accused having been notified of the charges against him, and having had opportunity of making his defence.

SEC. 5. After the election for Judges, as hereinbefore provided, there shall be held in this State, in every fifteenth year thereafter, on the Tuesday after the first Monday in November of such year, an election for Judges as herein provided; and in case of death, resignation, removal or disqualification by reason of age or otherwise of any Judge, the Governor shall appoint a person duly qualified to fill said office, who shall hold the same until the next general election for members of the General Assembly, when a successor shall be elected, whose term of office shall be the same as hereinbefore provided; and upon the expiration of the term of fifteen years for which any Judge may be elected to fill a vacancy, an election for his successor shall take place at the next general election for members of the General Assembly to occur upon or after the expiration of his said term; and the Governor shall appoint a person duly qualified to hold said office from the expiration of such term of fifteen years until the election and qualification of his successor.

SEC. 6. All Judges shall, by virtue of their offices, be conservators of the peace throughout the State; and no fees, or perquisites, commission, or reward of any kind, shall be allowed to any Judge in this State, besides his annual salary, for the discharge of any judicial duty.

SEC. 7. No Judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him, by affinity or consanguinity, within such degrees as now are, or may hereafter be prescribed by law, or where he shall have been of counsel in the case.

SEC. 8. The parties to any cause may submit the same to the court for determination, without the aid of a jury; and in all suits or actions at law, issues from the Orphans' Court or from any court sitting in equity, and in all cases of presentments or indictments for offences which are or may be punishable by death pending in any of the courts of law of this State having jurisdiction thereof, upon suggestion in writing under oath of either of the parties to said proceedings, that such party cannot have a fair and impartial trial in the court in which the same may be pending, the said court shall order and direct the record of proceedings in such suit or action, issue, presentment or indictment, to be transmitted to some other court having jurisdiction in such case, for trial; but in all other cases of presentment or indictment pending in any of the courts of law in this State having jurisdiction thereof, in addition to the suggestion in writing of either of the parties to such presentment or indictment that such party cannot have a fair and impartial trial in the court in which the same may be pending, it shall be necessary for the party making such suggestion to make it satisfactorily appear to the court that such suggestion is true, or that there is reasonable ground for the same; and thereupon the said court shall order and direct the record of proceedings in such presentment or indictment to be transmitted to some other court having jurisdiction in such cases, for trial; and such right of removal shall exist upon suggestion in cases when all the Judges of said court may be disqualified, under the provisions of this Constitution, to sit in any case; and said Court to which the record of proceedings in such suit or action, issue, presentment or indictment, may be so transmitted, shall hear and determine the same in like manner, as if such suit or action, issue, presentment or indictment had been originally instituted therein; and the General Assembly shall make such modification of existing law as may be necessary to regulate and give force to this provision.

SEC. 9. The Judge or Judges of any court may appoint such officers for their respective courts as may be found necessary; and such officers of the courts in the city of Baltimore shall be appointed by the Judges of the Supreme Bench of Baltimore City. It shall be the duty of the General Assembly to prescribe by law a fixed compensation for all such officers; and said Judge or Judges shall, from time to time, investigate the expenses, costs and charges of their respective courts, with a view to a change or reduction thereof, and report the result of such investigation to the General Assembly for its action.

SEC. 10. The clerks of the several courts, created or continued by this Constitution, shall have charge and custody of the records and other papers, shall perform all the duties and be allowed the fees which appertain to their several offices, as the same now are, or may hereafter be regulated by law. And the office and business of said clerks, in all their departments, shall

be subject to the visitatorial power of the Judges of their respective courts, who shall exercise the same, from time to time, so as to insure the faithful performance of the duties of said offices; and it shall be the duty of the Judges of said courts, respectively, to make, from time to time, such rules and regulations as may be necessary and proper for the government of said clerks and for the performance of the duties of their offices, which shall have the force of law until repealed or modified by the General Assembly.

SEC. 11. The election for Judges, hereinbefore provided, and all elections for Clerks, Registers of Wills, and other officers, provided in this Constitution, except State's Attorneys, shall be certified and the returns made by the Clerks of the Circuit Courts for the counties, and the Clerk of the Superior Court of Baltimore City, respectively, to the Governor, who shall issue commissions to the different persons for the offices to which they shall have been, respectively, elected; and in all such elections the person having the greatest number of votes shall be declared to be elected.

SEC. 12. If in any case of election for Judges, clerks of the courts of law, and Registers of Wills, the opposing candidates shall have an equal number of votes, it shall be the duty of the Governor to order a new election; and in case of any contested election, the Governor shall send the returns to the House of Delegates, which shall judge of the election and qualification of the candidates at such election; and if the judgment shall be against the one who has been returned elected, or the one who has been commissioned by the Governor, the House of Delegates shall order a new election within thirty days.

SEC. 13. All public commissions and grants shall run thus: "The State of Maryland, etc.," and shall be signed by the Governor, with the seal of the State annexed; all writs and process shall run in the same style, and be tested, sealed and signed, as heretofore, or as may hereafter be provided by law, and all indictments shall conclude, "against the peace, government and dignity of the State."

PART II.—COURT OF APPEALS.

SEC. 14. The Court of Appeals shall be composed of the Chief Judges of the first seven of the several judicial circuits of the State, and a Judge from the city of Baltimore specially elected thereto, one of whom shall be designated by the Governor, by and with the advice and consent of the Senate, as the Chief Judge; and in all cases, until action by the Senate can be had, the Judge so designated by the Governor shall act as Chief Judge. The Judge of the Court of Appeals from the city of Baltimore shall be elected by the qualified voters of said city at the election of Judges to be held therein, as hereinbefore provided; and in addition to his duties, as Judge of the Court of Appeals, shall perform such other duties as the General Assembly shall prescribe. The jurisdiction of said Court of Appeals shall be co-extensive with the limits of the State, and such as now is or may hereafter be prescribed by law. It shall hold its sessions in the city of Annapolis, on the second Monday in January, the first Monday in April and the first Monday

in October of each and every year, or at such other times as the General Assembly may by law direct. Its sessions shall continue not less than ten months in the year, if the business before it shall so require; and it shall be competent for the Judges, temporarily, to transfer their sittings elsewhere, upon sufficient cause.

SEC. 15. Four of said Judges shall constitute a quorum; no cause shall be decided without the concurrence of at least three; but the Judge who heard the cause below, shall not participate in the decision; in every case an opinion, in writing, shall be filed within three months after the argument, or submission of the cause; and the judgment of the court shall be final and conclusive; and all cases shall stand for hearing at the first term after the transmission of the record.

SEC. 16. Provision shall be made by law for publishing reports of all causes, argued and determined in the Court of Appeals, which the Judges shall designate as proper for publication.

SEC. 17. There shall be a Clerk of the Court of Appeals, who shall be elected by the legal and qualified voters of the State, who shall hold his office for six years, and until his successor is duly qualified; he shall be subject to removal by the said court for incompetency, neglect of duty, misdemeanor in office, or such other cause, or causes, as may be prescribed by law; and in case of a vacancy in the office of said clerk, the Court of Appeals shall appoint a clerk of said court, who shall hold his office until the election and qualification of his successor, who shall be elected at the next general election for members of the General Assembly; and the person, so elected, shall hold his office for the term of six years from the time of election.

SEC. 18. It shall be the duty of the Judges of the Court of Appeals, as soon after their election, under this Constitution, as practicable, to make and publish rules and regulations for the prosecution of appeals to said appellate court, whereby they shall prescribe the periods within which appeals may be taken, what part or parts of the proceedings in the court below shall constitute the record on appeal, and the manner in which such appeals shall be brought to hearing or determination, and shall regulate, generally, the practice of said Court of Appeals, so as to prevent delays, and promote brevity in all records and proceedings brought into said court, and to abolish and avoid all unnecessary costs and expenses in the prosecution of appeals therein; and the said Judges shall make such reductions in the fees and expenses of the said court, as they may deem advisable. It shall also be the duty of said Judges of the Court of Appeals, as soon after their election as practicable, to devise, and promulgate by rules, or orders, forms and modes of framing and filing bills, answers, and other proceedings and pleadings in equity; and also forms and modes of taking and obtaining evidence, to be used in equity cases; and to revise and regulate, generally, the practice in the courts of equity of this State, so as to prevent delays, and to promote brevity and conciseness in all pleadings and proceedings therein, and to abolish all unnecessary costs and expenses attending the same. And all rules and regulations hereby directed to be made, shall, when made, have

the force of law, until rescinded, changed or modified by the said Judges, or the General Assembly.

PART III.—CIRCUIT COURTS.

SEC. 19. The State shall be divided into eight judicial circuits, in manner following, viz: The counties of Worcester, Somerset, Dorchester and Wicomico, shall constitute the First Circuit; the counties of Caroline, Talbot, Queen Anne's, Kent and Cecil, the Second; the counties of Baltimore and Harford, the Third; the counties of Allegany, Washington and Garrett, the Fourth; the counties of Carroll, Howard and Anne Arundel, the Fifth; the counties of Montgomery and Frederick, the Sixth; the counties of Prince George's, Charles, Calvert and St. Mary's, the Seventh, and Baltimore City, the Eighth.

SEC. 20. A court shall be held in each county of the State, to be styled the Circuit Court for the County, in which it may be held. The said circuit courts shall have and exercise, in the respective counties, all the power, authority and jurisdiction, original and appellate, which the present circuit courts of this State now have and exercise, or which may hereafter be prescribed by law.

SEC. 21. For each of the said circuits (excepting the Eighth) there shall be a Chief Judge and two Associate Judges, to be styled Judges of the Circuit Court, to be elected or appointed, as herein provided. And no two of said Associate Judges shall, at the time of their election, or appointment, or during the term, for which they may have been elected, or appointed, reside in the same county. If two or more persons shall be candidates for Associate Judge, in the same county, that one only in said county shall be declared elected, who has the highest number of votes in the circuit. In case any two candidates for Associate Judge, residing in the same county, shall have an equal number of votes, greater than any other candidate for Associate Judge, in the circuit, it shall be the duty of the Governor to order a new election for one Associate Judge; but the person, residing in any other county of the circuit, and who has the next highest number of votes shall be declared elected. The said Judges shall hold not less than two terms of the Circuit Court in each of the counties, composing their respecting circuits, at such times as are now, or may hereafter be prescribed, to which jurors shall be summoned; and in those counties, where only two such terms are held, two other and intermediate terms, to which jurors shall not be summoned; they may alter or fix the times for holding any, or all terms until otherwise prescribed, and shall adopt rules to the end that all business not requiring the interposition of a jury shall be, as far as practicable, disposed of at said intermediate terms. One Judge, in each of the above circuits, shall constitute a quorum for the transaction of any business, and the said Judges, or any of them, may hold special terms of their courts, whenever, in their discretion, the business of the several counties renders such terms necessary.

SEC. 22. Where any term is held, or trial conducted by less than the whole number of said Circuit Judges, upon the decision, or determination of any point, or question, by the court, it shall be competent to the party, against whom the ruling or decision is made, upon motion, to have the point, or question, reserved for the consideration of the three Judges of the circuit, who shall constitute a court in *banc* for such purpose; and the motion for such reservation shall be entered of record, during the sitting, at which such decision may be made; and the several circuit courts shall regulate, by rules, the mode and manner of presenting such points, or questions to the court in *banc*, and the decision of the said court in *banc* shall be the effective decision in the premises, and conclusive, as against the party, at whose motion said points, or questions were reserved; but such decision in *banc* shall not preclude the right of appeal, or writ of error to the adverse party, in those cases, civil or criminal, in which appeal, or writ of error to the Court of Appeals may be allowed by law. The right of having questions reserved shall not, however, apply to trials of appeals from judgments of Justices of the Peace, nor to criminal cases below the grade of felony, except when the punishment is confinement in the penitentiary; and this section shall be subject to such provisions as may hereafter be made by law.

SEC. 23. The Judges of the respective circuit courts of this State, and of the courts of Baltimore City, shall render their decisions, in all cases argued before them, or submitted for their judgment, within two months after the same shall have been so argued or submitted.

SEC. 24. The salary of each Chief Judge, and of the Judge of the Court of Appeals from the city of Baltimore shall be \$3,500, and of each Associate Judge of the Circuit Court, shall be \$2,800 per annum, payable quarterly, and shall not be diminished during his continuance in office.

SEC. 25. There shall be a Clerk of the Circuit Court for each county, who shall be elected by a plurality of the qualified voters of said county, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified, and be re-eligible, subject to be removed for wilful neglect of duty, or other misdemeanor in office, on conviction in a court of law. In case of a vacancy in the office of clerk of a circuit court, the Judges of said court shall have power to fill such vacancy until the general election for Delegates to the General Assembly, to be held next thereafter, when a successor shall be elected for the term of six years.

SEC. 26. The said clerks shall appoint, subject to the confirmation of the Judges of their respective courts, as many deputies under them, as the said Judges shall deem necessary to perform, together with themselves, the duties of the said office, who shall be removable by the said Judges for incompetency, or neglect of duty, and whose compensation shall be according to existing, or future provisions of the General Assembly.

PART IV.—COURTS OF BALTIMORE CITY.

SEC. 27. There shall be in the Eighth Judicial Circuit, six courts, to be styled the Supreme Bench of Baltimore City, the Superior Court of Balti-

more City, the Court of Common Pleas, the Baltimore City Court, the Circuit Court of Baltimore City, and the Criminal Court of Baltimore.

SEC. 28. The Superior Court of Baltimore City, the Court of Common Pleas, and the Baltimore City Court shall each have concurrent jurisdiction in all civil common law cases, and concurrently all the jurisdiction which the Superior Court of Baltimore City and the Court of Common Pleas now have, except jurisdiction in equity, and except in applications for the benefit of the insolvent laws of Maryland, and in cases of appeal from judgments of Justices of the Peace in said city, whether civil or criminal, or arising under the ordinances of the Mayor and City Council of Baltimore, of all of which appeal cases the Baltimore City Court shall have exclusive jurisdiction; and the said Court of Common Pleas shall have exclusive jurisdiction in all applications for the benefit of the insolvent laws of Maryland, and the supervision and control of the trustees thereof.

SEC. 29. The Circuit Court of Baltimore City shall have exclusive jurisdiction in equity within the limits of said city, and all such jurisdiction as the present Circuit Court of Baltimore City has; provided, the said court shall not have jurisdiction in applications for the writ of *habeas corpus* in cases of persons charged with criminal offences.

SEC. 30. The Criminal Court of Baltimore shall have and exercise all the jurisdiction, now held and exercised by the Criminal Court of Baltimore, except in such appeal cases as are herein assigned to the Baltimore City Court.

SEC. 31. There shall be elected by the legal and qualified voters of said city, at the elections, hereinbefore provided for, one Chief Judge and four Associate Judges, who, together, shall constitute the Supreme Bench of Baltimore City, and shall hold their offices for the term of fifteen years, subject to the provisions of this Constitution with regard to the election and qualifications of Judges, and their removal from office, and shall exercise the jurisdiction hereinafter specified, and shall each receive an annual salary of \$3,500, payable quarterly, which shall not be diminished during their term of office; but authority is hereby given to the Mayor and City Council of Baltimore to pay to each of the said Judges an annual addition of \$500 to their respective salaries; provided, that the same, being once granted, shall not be diminished, nor increased, during the continuance of said Judges in office.

SEC. 32. It shall be the duty of the said Supreme Bench of Baltimore City, as soon as the Judges thereof shall be elected and duly qualified, and from time to time, to provide for the holding of each of the aforesaid courts, by the assignment of one or more of their number to each of the said courts, who may sit either, separately, or together, in the trial of cases; and the said Supreme Bench of Baltimore City may, from time to time, change the said assignment, as circumstances may require, and the public interest may demand; and the Judge, or Judges, so assigned to the said several courts, shall, when holding the same, have all the powers and exercise all the jurisdiction, which may belong to the court so being held; and it shall also be the duty of the said Supreme Bench of Baltimore City, in

case of the sickness, absence, or disability of any Judge or Judges, assigned as aforesaid, to provide for the hearing of the cases, or transaction of the business assigned to said Judge, or Judges, as aforesaid, before some one, or more of the Judges of said Court.

SEC. 33. The said Supreme Bench of Baltimore City shall have power, and it shall be its duty, to provide for the holding of as many general terms as the performance of its duties may require, such general terms to be held by not less than three Judges; to make all needful rules and regulations for the conduct of business in each of the said courts, during the session thereof, and in vacation, or in chambers, before any of said Judges, and shall also have jurisdiction to hear and determine all motions for a new trial in cases tried in the criminal court, where such motions arise either, on questions of fact, or for misdirection upon any matters of law, and all motions in arrest of judgment, or upon any matters of law determined by the said Judge, or Judges, while holding said criminal court; and the said Supreme Bench of Baltimore City shall make all needful rules and regulations for the hearing before it of all said matters; and the same right of appeal to the Court of Appeals shall be allowed from the determination of the said court on such matters, as would have been the right of the parties if said matters had been decided by the court in which said cases were tried. The Judge before whom any case may hereafter be tried, in either the Baltimore City Court, the Superior Court of Baltimore City or in the Court of Common Pleas, shall have exclusive jurisdiction to hear and determine; and the said Judge shall hear and determine all motions for a new trial when such motions arise, either on questions of fact or for misdirection upon any matters of law; and all motions in arrest of judgment or upon any matters of law determined by the said Judge and all such motions shall be heard and determined within thirty days after they are heard.

SEC. 34. No appeal shall lie to the Supreme Bench of Baltimore City from the decision of the Judge, or the Judges, holding the Baltimore City Court, in case of appeal from a Justice of the Peace; but the decision by said Judge, or Judges, shall be final; and all writs and other process issued out of either of said courts, requiring attestation, shall be attested in the name of the Chief Judge of the said Supreme Bench of Baltimore City.

SEC. 35. Three of the Judges of said Supreme Bench of Baltimore City, shall constitute a quorum of said court.

SEC. 36. All causes depending, at the adoption of this Constitution, in the Superior Court of Baltimore City, the Court of Common Pleas, the Criminal Court of Baltimore, and the Circuit Court of Baltimore City, shall be proceeded in, and prosecuted to final judgment, or decree, in the courts, respectively, of the same name established by this Constitution, except cases belonging to that class, jurisdiction over which is by this Constitution transferred to the Baltimore City Court, all of which shall, together with all cases now pending in the City Court of Balti-

more, be proceeded in, and prosecuted to final judgment in said Baltimore City Court.

SEC. 37. There shall be a clerk of each of the said courts of Baltimore City, except the Supreme Bench, who shall be elected by the legal and qualified voters of said city, at the election to be held in said city on the Tuesday next after the first Monday of November, in the year 1867, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified and be re-eligible thereto, subject to be removed for wilful neglect of duty, or other misdemeanor in office, on conviction in a court of law. The salary of each of the said clerks shall be \$3,500 a year, payable only out of the fees and receipts collected by the clerks of said city, and they shall be entitled to no other perquisites or compensation. In case of a vacancy in the office of clerk of any of said courts, the Judges of said Supreme Bench of Baltimore City shall have power to fill such vacancy until the general election of Delegates to the General Assembly, to be held next thereafter, when a clerk of said court shall be elected to serve for six years thereafter; and the provisions of this Article, in relation to the appointment of deputies by the clerks of the circuit courts in the counties, shall apply to the clerks of the courts in Baltimore City.

SEC. 38. The clerk of the Court of Common Pleas shall have authority to issue within said city, all marriage and other licenses required by law, subject to such provisions as are now or may be prescribed by law. The clerk of the Superior Court of said city shall receive and record all deeds, conveyances and other papers, which are or may be required by law to be recorded in said city. He shall also have custody of all papers connected with the proceedings on the law or equity side of Baltimore County Court, and of the dockets thereof, so far as the same have relation to the city of Baltimore, and shall also discharge the duties of clerk to the Supreme Bench of Baltimore City, unless otherwise provided by law.

SEC. 39. The General Assembly shall, whenever it may think the same proper and expedient, provide, by law, another court for the city of Baltimore, and prescribe its jurisdiction and powers; in which case there shall be elected by the voters of said city, qualified under this Constitution, another Judge of the Supreme Bench of Baltimore City, who shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation, and have the same powers, as are herein provided for the Judges of said Supreme Bench of Baltimore City; and all the provisions of this Constitution relating to the assignment of Judges to the courts, now existing in said city, and for the dispatch of business therein, shall apply to the court, for whose creation provision is made by this section. And the General Assembly may reappoint, change or enlarge the jurisdiction of the several courts in Baltimore City. Until otherwise provided by law, the clerk of the Superior Court of Baltimore City, of the Court of Common Pleas, of the Circuit Court of Baltimore City, of the Baltimore City Court, and of the Criminal Court of Baltimore, shall each give bond in such penalty as is now prescribed

by law to be given by the clerks of the courts, bearing the same names, under the present Constitution.

PART V.—ORPHANS' COURT.

SEC. 40. The qualified voters of the city of Baltimore, and of the several counties, shall on the Tuesday next after the first Monday in November next, and on the same day in every fourth year thereafter, elect three men to be Judges of the orphans' courts of said city and counties, respectively, who shall be citizens of the State, and residents for the twelve months preceding, in the city, or county, for which they may be elected. They shall have all the powers now vested in the orphans' courts of the State, subject to such changes as the Legislature may prescribe. Each of said Judges shall be paid a per diem for the time they are actually in session, to be regulated by law, and to be paid by the said city, or counties, respectively. In case of a vacancy in the office of Judge of the Orphans' Court, the Governor shall appoint, subject to confirmation, or rejection by the Senate, some suitable person to fill the same for the residue of the term.

SEC. 41. There shall be a Register of Wills in each county of the State, and the city of Baltimore, to be elected by the legal and qualified voters of said counties and city, respectively, who shall hold his office for six years from the time of his election, and until his successor is elected and qualified; he shall be re-eligible and subject at all times to removal for wilful neglect of duty, or misdemeanor in office in the same manner that the clerks of courts are removable. In the event of any vacancy in the office of the Register of Wills, said vacancy shall be filled by the Judges of the Orphans' Court, in which such vacancy occurs, until the next general election for Delegates to the General Assembly, when a Register shall be elected to serve for six years thereafter.

PART VI.—JUSTICES OF THE PEACE.

SEC. 42. The Governor, by and with the advice and consent of the Senate, shall appoint such number of Justices of the Peace, and the County Commissioners of the several counties, and the Mayor and City Council of Baltimore, respectively, shall appoint such number of Constables, for the several election districts of the counties, and wards of the city of Baltimore, as are now, or may hereafter be prescribed by law; and Justices of the Peace and Constables, so appointed, shall be subject to removal by the Judge, or Judges, having criminal jurisdiction in the county, or city, for incompetency, wilful neglect of duty, or misdemeanor in office, on conviction in a court of law. The Justices of the Peace and Constables, so appointed, and commissioned, shall be conservators of the peace, shall hold their office for two years, and shall have jurisdiction, duties and compensation, subject to such right of appeal, in all cases, from

the judgment of Justices of the Peace, as hath been heretofore exercised, or shall be hereafter prescribed by law.

SEC. 43. In the event of a vacancy in the office of a Justice of the Peace the Governor shall appoint a person to serve as a Justice of the Peace for the residue of the term; and in case of a vacancy in the office of Constable the County Commissioners of the county in which the vacancy occurs, or the Mayor and City Council of Baltimore, as the case may be, shall appoint a person to serve as Constable for the residue of the term.

PART VII.—SHERIFFS.

SEC. 44. There shall be elected in each county, and in the city of Baltimore, in every second year, one person, resident in said county or city, above the age of twenty-five years, and at least five years preceding his election, a citizen of this State, to the office of Sheriff. He shall hold his office for two years, and until his successor is duly elected and qualified; shall be ineligible for two years thereafter; shall give such bond, exercise such powers and perform such duties as now are or may hereafter be fixed by law. In case of a vacancy by death, resignation, refusal to serve, or neglect to qualify, or give bond, or by disqualification, or removal from the county or city, the Governor shall appoint a person to be Sheriff for the remainder of the official term.

SEC. 45. Coroners, Elisors and Notaries Public may be appointed for each county and the city of Baltimore in the manner, for the purpose, and with the powers now fixed or which may hereafter be prescribed by law.

ARTICLE V.

ATTORNEY GENERAL AND STATE'S ATTORNEYS.

ATTORNEY GENERAL.

SECTION 1. There shall be an Attorney General elected by the qualified voters of the State, on general ticket, on the Tuesday next after the first Monday in the month of November, 1867, and on the same day, in every fourth year thereafter, who shall hold his office for four years from the time of his election and qualification, and until his successor is elected and qualified, and shall be re-eligible thereto, and shall be subject to removal for incompetency, wilful neglect of duty, or misdemeanor in office, on conviction in a court of law.

SEC. 2. All elections for Attorney General shall be certified to, and returns made thereof by the clerks of the circuit courts for the several counties, and the Clerk of the Superior Court of Baltimore City, to the Governor of the State, whose duty it shall be to decide on the election

and qualification of the person returned; and in case of a tie between two or more persons, to designate which of said persons shall qualify as Attorney General, and to administer the oath of office to the person elected.

SEC. 3. It shall be the duty of the Attorney General to prosecute and defend on the part of the State, all cases, which at the time of his appointment and qualification and which thereafter may be depending in the Court of Appeals, or in the Supreme Court of the United States, by or against the State, or wherein the State may be interested; and he shall give his opinion in writing whenever required by the General Assembly, or either branch thereof, the Governor, the Comptroller, the Treasurer, or any State's Attorney, on any legal matter, or subject depending before them, or either of them; and when required by the Governor, or the General Assembly, he shall aid any State's Attorney in prosecuting any suit or action brought by the State in any court of this State; and he shall commence and prosecute, or defend, any suit or action in any of said courts, on the part of the State, which the General Assembly, or the Governor, acting according to law, shall direct to be commenced, prosecuted or defended; and he shall receive for his services an annual salary of \$3,000, but he shall not be entitled to receive any fees, perquisites, or rewards, whatever, in addition to the salary aforesaid, for the performance of any official duty; nor have power to appoint any agent, representative, or deputy, under any circumstances, whatever; nor shall the Governor employ any additional counsel in any case, whatever, unless authorized by the General Assembly.

SEC. 4. No person shall be eligible to the office of Attorney General, who is not a citizen of this State, and a qualified voter therein, and has not resided and practised law in this State for at least ten years.

SEC. 5. In case of vacancy in the office of Attorney General, occasioned by death, resignation, removal from the State, or from office, or other disqualification, the said vacancy shall be filled by the Governor, for the residue of the term thus made vacant.

SEC. 6. It shall be the duty of the Clerk of the Court of Appeals and of the Commissioner of the Land Office, respectively, whenever a case shall be brought into said court, or office, in which the State is a party, or has interest, immediately to notify the Attorney General thereof.

THE STATE'S ATTORNEYS.

SEC. 7. There shall be an attorney for the State in each county, and the city of Baltimore, to be styled "The State's Attorney," who shall be elected by the voters thereof, respectively, on the Tuesday next after the first Monday in November in the year 1867, and on the same day every fourth year thereafter; and shall hold his office for four years from the first Monday in January next ensuing his election, and until his successor shall be elected and qualified; and shall be re-eligible thereto, and be subject to removal therefrom, for incompetency, wilful neglect of duty, or misde-

meanor in office, on conviction in a court of law, or by a vote of two-thirds of the Senate, on the recommendation of the Attorney General.

SEC. 8. All elections for the State's Attorney shall be certified to, and returns made thereof, by the clerks of the said counties and city, to the Judges thereof having criminal jurisdiction, respectively, whose duty it shall be to decide upon the elections and qualifications of the persons returned; and in case of a tie between two or more persons, to designate which of said persons shall qualify as State's Attorney, and to administer the oaths of office to the person elected.

SEC. 9. The State's Attorney shall perform such duties and receive such fees and commissions as are now, or may hereafter be prescribed by law, and if any State's Attorney shall receive any other fee or reward, than such as is, or may be allowed by law, he shall, on conviction thereof, be removed from office; provided, that the State's Attorney for Baltimore City shall have power to appoint one deputy, at a salary of not more than \$1,500 per annum, to be paid by the State's Attorney out of the fees of his office, as has heretofore been practised.

SEC. 10. No person shall be eligible to the office of State's Attorney, who has not been admitted to practice law in this State, and who has not resided for at least two years in the county or city in which he may be elected.

SEC. 11. In case of vacancy in the office of State's Attorney, or of his removal from the county or city in which he shall have been elected, or on his conviction, as herein specified, the said vacancy shall be filled by the Judge of the county or city, respectively, having criminal jurisdiction, in which said vacancy shall occur, for the residue of the term thus made vacant.

SEC. 12. The State's Attorney, in each county, and the city of Baltimore, shall have authority to collect, and give receipt, in the name of the State, for such sums of money as may be collected by him, and forthwith make return of, and pay over the same, to the proper accountant officer. And the State's Attorney of each county, and the city of Baltimore, before he shall enter on the discharge of his duties, shall execute a bond to the State of Maryland, for the faithful performance of his duties, in the penalty of \$10,000, with two or more sureties, to be approved by the Judge of the court, having criminal jurisdiction, in said counties or city.

ARTICLE VI.

TREASURY DEPARTMENT.

SECTION 1. There shall be a Treasury Department consisting of a Comptroller, chosen by the qualified electors of the State, at each regular election of members of the House of Delegates, who shall receive an annual salary of \$2,500; and a Treasurer to be appointed by the two houses of the

Legislature, at each regular session thereof, on joint ballot, who shall receive an annual salary of \$2,500; and the terms of office of the said Comptroller and Treasurer shall be for two years, and until their successors shall qualify; and neither of the said officers shall be allowed, or receive any fees, commissions or perquisites of any kind, in addition to his salary, for the performance of any duty or services whatsoever. In case of a vacancy in either of the offices, by death, or otherwise, the Governor, by and with the advice and consent of the Senate shall fill such vacancy, by appointment to continue until another election, or a choice by the Legislature, as the case may be, and until the qualification of the successor. The Comptroller and the Treasurer shall keep their offices at the seat of Government, and shall take such oath, and enter into such bonds for the faithful discharge of their duties as are now, or may hereafter be, prescribed by law.

SEC. 2. The Comptroller shall have the general superintendence of the fiscal affairs of the State; he shall digest and prepare plans for the improvement and management of the revenue, and for the support of the public credit; prepare and report estimates of the revenue and expenditures of the State; superintend and enforce the prompt collection of all taxes and revenue; adjust and settle, on terms, prescribed by law, with delinquent collectors and receivers of taxes and State revenue; preserve all public accounts; decide on the forms of keeping and stating accounts; grant, under regulations, prescribed by law, all warrants for money to be paid out of the treasury, in pursuance of appropriations by law; and countersign all checks drawn by the Treasurer upon any bank or banks, in which the moneys of the State may, from time to time, be deposited; prescribe the formalities of the transfer of stock, or other evidence of the State debt, and countersign the same, without which, such evidence shall not be valid; he shall make to the General Assembly full reports of all his proceedings, and of the state of the Treasury Department, within ten days after the commencement of each session; and perform such other duties as shall be prescribed by law.

SEC. 3. The Treasurer shall receive the moneys of the State, and, until otherwise prescribed by law, deposit them, as soon as received, to the credit of the State, in such bank, or banks, as he may, from time to time, with the approval of the Governor, select (the said bank or banks giving security, satisfactory to the Governor, for the safe keeping and forthcoming, when required, of said deposits), and shall disburse the same for the purposes of the State, according to law, upon warrants drawn by the Comptroller, and on checks, countersigned by him, and not otherwise; he shall take receipts for all moneys paid by him; and receipts for moneys received by him shall be endorsed upon warrants, signed by the Comptroller; without which warrants, so signed, no acknowledgment of money received into the treasury shall be valid; and upon warrants, issued by the Comptroller, he shall make arrangements for the payment of the interest of the public debt, and for the purchase thereof on account of the sinking fund. Every bond, certificate, or other evidence of the debt of the State, shall be

signed by the Treasurer, and countersigned by the Comptroller, and no new certificate, or other evidence intended to replace another, shall be issued until the old one shall be delivered to the Treasurer, and authority executed in due form for the transfer of the same filed in his office, and the transfer accordingly made on the books thereof, and the certificate or other evidence cancelled; but the Legislature may make provisions for the loss of certificates, or other evidences of the debt; and may prescribe by law, the manner in which the Treasurer shall receive and keep the moneys of the State.

SEC. 4. The Treasurer shall render his accounts quarterly to the Comptroller, and shall publish monthly in such newspapers as the Governor may direct an abstract thereof, showing the amount of cash on hand, and the place or places of deposit thereof; and on the third day of each regular session of the Legislature he shall submit to the Senate and House of Delegates fair and accurate copies of all accounts by him, from time to time, rendered and settled with the Comptroller. He shall at all times submit to the Comptroller the inspection of the money in his hands, and perform all other duties that shall be prescribed by law.

SEC. 5. The Comptroller shall qualify and enter on the duties of his office on the third Monday of January next succeeding the time of his election, or as soon thereafter as practicable. And the Treasurer shall qualify within one month after his appointment by the Legislature.

SEC. 6. Whenever during the recess of the Legislature charges shall be preferred to the Governor against the Comptroller or Treasurer for incompetency, malfeasance in office, wilful neglect of duty, or misappropriation of the funds of the State, it shall be the duty of the Governor forthwith to notify the party so charged and fix a day for a hearing of said charges; and if from the evidence taken, under oath, on said hearing before the Governor, the said allegations shall be sustained, it shall be the duty of the Governor to remove said offending officer and appoint another in his place, who shall hold the office for the unexpired term of the officer so removed.

ARTICLE VII.

SUNDRY OFFICERS.

COUNTY COMMISSIONERS—SURVEYOR—STATE LIBRARIAN—COMMISSIONER OF THE LAND OFFICE—WRECK MASTER.

SECTION 1. County Commissioners shall be elected on general ticket of each county by the qualified voters of the several counties of this State, on the Tuesday next after the first Monday in the month of November, 1867, and on the same day in every second year thereafter. Their number in each county, their compensation, powers and duties, shall be such as are now, or may be hereafter prescribed by law.

SEC. 2. The qualified voters of each county and of the city of Baltimore shall on the Tuesday next after the first Monday in the month of November, in the year 1867, and on the same day in every second year thereafter, elect a surveyor for each county and the city of Baltimore, respectively, whose term of office shall commence on the first Monday of January next ensuing their election; and whose duties and compensation shall be the same as are now or may hereafter be prescribed by law. And any vacancy in the office of Surveyor shall be filled by the Commissioners of the counties, or by the Mayor and City Council of Baltimore, respectively, for the residue of the term.

SEC. 3. The State Librarian shall be appointed by the Governor, by and with the advice and consent of the Senate and shall hold his office during the term of the Governor, by whom he shall have been appointed and until his successor shall be appointed and qualified. His salary shall be \$1,500 a year; and he shall perform such duties as are now, or may hereafter be prescribed by law; and no appropriation shall be made by law, to pay for any clerk, or assistant to the Librarian. And it shall be the duty of the Legislature, at its first session after the adoption of this Constitution, to pass a law regulating the mode and manner in which the books in the Library shall be kept and accounted for by the Librarian, and requiring the Librarian to give a bond, in such penalty as the Legislature may prescribe, for the proper discharge of his duties.

SEC. 4. There shall be a Commissioner of the Land Office, who shall be appointed by the Governor, by and with the advice and consent of the Senate, who shall hold his office during the term of the Governor, by whom he shall have been appointed, and until his successor shall be appointed and qualified. He shall perform such duties as are now required of the Commissioner of the Land Office, or such as may hereafter be prescribed by law, and shall also be the keeper of the Chancery Records. He shall receive a salary of \$1,500 per annum, to be paid out of the treasury, and shall charge such fees as are now, or may be hereafter fixed by law. He shall make a semi-annual report of all the fees of his office, both as Commissioner of the Land Office, and as keeper of the Chancery Records, to the Comptroller of the Treasury, and shall pay the same semi-annually into the treasury.

SEC. 5. The Commissioner of the Land Office shall also, without additional compensation, collect, arrange, classify, have charge of, and safely keep all papers, records, relics, and other memorials connected with the Early History of Maryland, not belonging to any other office.

SEC. 6. The qualified voters of Worcester County shall, on the Tuesday next after the first Monday in the month of November, in the year 1867, and every two years thereafter, elect a Wreck Master for said county, whose duties and compensation shall be the same as are now or may be hereafter prescribed by law; the term of office of said Wreck Master shall commence on the first Monday of January next succeeding his election, and a vacancy in said office shall be filled by the County Commissioners of said county for the residue of the term.

ARTICLE VIII.**EDUCATION.**

SECTION 1. The General Assembly, at its first session after the adoption of this Constitution, shall by law establish throughout the State a thorough and efficient system of free public schools; and shall provide by taxation, or otherwise, for their maintenance.

SEC. 2. The system of public schools, as now constituted, shall remain in force until the end of the said first session of the General Assembly, and shall then expire; except so far as adopted or continued by the General Assembly.

SEC. 3. The School Fund of the State shall be kept inviolate, and appropriated only to the purposes of education.

ARTICLE IX.**MILITIA AND MILITARY AFFAIRS.**

SECTION 1. The General Assembly shall make, from time to time, such provision for organizing, equipping and disciplining the militia, as the exigency may require, and pass such laws to promote volunteer militia organizations as may afford them effectual encouragement.

SEC. 2. There shall be an Adjutant General, appointed by the Governor, by and with the advice and consent of the Senate. He shall hold his office until the appointment and qualification of his successor, or until removed in pursuance of the sentence of a court martial. He shall perform such duties and receive such compensation or emoluments as are now or may be prescribed by law. He shall discharge the duties of his office at the seat of government, unless absent, under orders, on duty; and no other officer of the general staff of the militia shall receive salary or pay, except when on service and mustered in with troops.

SEC. 3. The existing militia law of the State shall expire at the end of the next session of the General Assembly, except so far as it may be re-enacted, subject to the provisions of this article.

ARTICLE X.

(Discontinued.)

ARTICLE XI.**CITY OF BALTIMORE.**

SECTION 1. The inhabitants of the city of Baltimore, qualified by law to vote in said city for members of the House of Delegates, shall on the

Tuesday after the first Monday of November, 1889, and on the same day in every second year thereafter, elect a person to be Mayor of the city of Baltimore, who shall have such qualifications, receive such compensation, discharge such duties and have such powers as are now, or may hereafter be prescribed by law; and the term of whose office shall commence on the first Monday of November succeeding his election, and shall continue for two years, and until his successor shall have qualified.

SEC. 2. The City Council of Baltimore shall consist of two branches, one of which shall be called the First Branch, and the other the Second Branch, and each shall consist of such number of members, having such qualification, receiving such compensation, performing such duties, possessing such powers, holding such terms of office, and elected in such manner, as are now, or may hereafter be prescribed by law.

SEC. 3. An election for members of the First Branch of the City Council of Baltimore shall be held in the city of Baltimore on the Tuesday after the first Monday of November in every year; and for members of the Second Branch on the Tuesday after the first Monday of November, 1889, and on the same day in every second year thereafter; and the qualification for electors of the members of the City Council shall be the same as those prescribed for the electors of Mayor.

SEC. 4. The regular sessions of the City Council of Baltimore (which shall be annual), shall commence on the third Monday of January of each year, and shall not continue more than ninety days, exclusive of Sundays; but the Mayor may convene the City Council in extra session whenever, and as often as it may appear to him that the public good may require; but no called, or extra session shall last longer than twenty days, exclusive of Sundays.

SEC. 5. No person elected and qualified as Mayor, or as a member of the City Council, shall, during the term for which he was elected, hold any other office of profit or trust, created, or to be created, by the Mayor and City Council of Baltimore, or by any law relating to the corporation of Baltimore, or hold any employment or position, the compensation of which shall be paid, directly or indirectly, out of the city treasury; nor shall any such person be interested, directly or indirectly, in any contract, to which the city is a party; nor shall it be lawful for any person holding any office under the city, to be interested, while holding such office, in any contract, to which the city is a party.

SEC. 6. The Mayor shall, on conviction in a court of law, of wilful neglect of duty, or misbehavior in office, be removed from office by the Governor of the State, and a successor shall thereafter be elected, as in a case of vacancy.

SEC. 7. From and after the adoption of this Constitution, no debt (except as hereinafter excepted) shall be created by the Mayor and City Council of Baltimore; nor shall the credit of the Mayor and City Council of Baltimore be given or loaned to, or in aid of any individual, association, or corporation; nor shall the Mayor and City Council of Baltimore have the power to involve the city of Baltimore in the construction of works of

internal improvement, nor in granting any aid thereto, which shall involve the faith and credit of the city, nor make any appropriation therefor, unless such debt or credit be authorized by an Act of the General Assembly of Maryland, and by an ordinance of the Mayor and City Council of Baltimore, submitted to the legal voters of the city of Baltimore at such time and place as may be fixed by said ordinance, and approved by a majority of the votes cast at such time and place; but the Mayor and City Council may, temporarily, borrow any amount of money to meet any deficiency in the city treasury, or to provide for any emergency arising from the necessity of maintaining the police, or preserving the safety and sanitary condition of the city, and may make due and proper arrangements and agreements for the removal and extension, in whole or in part, of any and all debts and obligations, created according to law before the adoption of this Constitution.

SEC. 8. All laws and ordinances, now in force, applicable to the city of Baltimore, not inconsistent with this article, shall be, and they are hereby continued until changed in due course of law.

SEC. 9. The General Assembly may make such changes in this article, except in Section 7 thereof, as it may deem best; and this article shall not be so construed, or taken as to make the political corporation of Baltimore independent of, or free from the control which the General Assembly of Maryland has over all such corporations in this State.

ARTICLE XII.

PUBLIC WORKS.

SECTION 1. The Governor, Comptroller of the Treasury, and the Treasurer, shall constitute the Board of Public Works in this State. They shall keep a journal of their proceedings, and shall hold regular sessions in the city of Annapolis, on the first Wednesday in January, April, July and October, in each year, and oftener, if necessary; at which sessions they shall hear and determine such matters as affect the public works of the State, and as the General Assembly may confer upon them the power to decide.

SEC. 2. They shall exercise a diligent and faithful supervision of all public works in which the State may be interested as stockholder or creditor, and shall represent and vote the stock of the State of Maryland in all meetings of the stockholders of the Chesapeake and Ohio Canal; and shall appoint the directors in every railroad and canal company in which the State has the legal power to appoint directors, which said directors shall represent the State in all meetings of the stockholders of the respective companies for which they are appointed or elected. And the president and directors of the said Chesapeake and Ohio Canal Company shall so regulate the tolls of said company, from time to time, as to produce the largest amount of revenue, and to avoid the injurious effects to said company of

rival competition by other internal improvement companies. They shall require the directors of all said public works to guard the public interest and prevent the establishment of tolls which shall discriminate against the interest of the citizens or products of this State, and from time to time, and as often as there shall be any change in the rates of toll on any of the said works, to furnish the said Board of Public Works a schedule of such modified rates of toll, and so adjust them as to promote the agricultural interests of the State; they shall report to the General Assembly at each regular session and recommend such legislation as they may deem necessary and requisite to promote or protect the interests of the State in the said public works; they shall perform such other duties as may be hereafter prescribed by law; and a majority of them shall be competent to act. The Governor, Comptroller and Treasurer shall receive no additional salary for services rendered by them as members of the Board of Public Works. The provisions of the Act of the General Assembly of Maryland of the year 1867, Chapter 359, are hereby declared null and void.

SEC. 3. The Board of Public Works is hereby authorized to exchange the State's interest as stockholder and creditor in the Baltimore and Ohio Railroad Company for an equal amount of the bonds or registered debt now owing by the State, to the extent only of all the preferred stock of the State on which the State is entitled to only six per cent. interest, provided such exchange shall not be made at less than par, nor less than the market value of said stock; and the said board is authorized, subject to such regulations and conditions as the General Assembly may from time to time prescribe, to sell the State's interests in the other works of internal improvement, whether as a stockholder or a creditor, and also the State's interest in any banking corporation, receiving in payment the bonds and registered debt now owing by the State, equal in amount to the price obtained for the State's said interest; provided, that the interest of the State in the Washington Branch of the Baltimore and Ohio Railroad be reserved and excepted from sale; and provided further, that no sale or contract of sale of the State's interest in the Chesapeake and Ohio Canal, the Chesapeake and Delaware Canal, and the Susquehanna and Tide-water Canal Companies shall go into effect until the same shall be ratified by the ensuing General Assembly.

ARTICLE XIII.

NEW COUNTIES.

SECTION 1. The General Assembly may provide by law, for organizing new counties, locating and removing county seats, and changing county lines; but no new county shall be organized without the consent of the majority of the legal voters residing within the limits proposed to be formed into said new county; and whenever a new county shall be proposed to be formed out of portions of two or more counties, the consent of a majority

of the legal voters of such part of each of said counties, respectively, shall be required; nor shall the lines of any county be changed without the consent of a majority of the legal voters, residing within the district, which, under said proposed change, would form a part of a county different from that to which it belonged prior to said change; and no new county shall contain less than four hundred square miles, nor less than ten thousand white inhabitants; nor shall any change be made in the limits of any county, whereby the population of said county would be reduced to less than ten thousand white inhabitants, or its territory reduced to less than four hundred square miles.

SEC. 2. At the election to be held for the adoption, or rejection of this Constitution, in each election district, in those parts of Worcester and Somerset counties, comprised within the following limits, viz: Beginning at the point, where Mason and Dixon's line crosses the channel of Pocomoke River, thence following said line to the channel of the Nanticoke River, thence with the channel of said river to Tangier Sound, or the intersection of Nanticoke and Wicomico Rivers, thence up the channel of the Wicomico River to the mouth of Wicomico Creek, thence with the channel of said creek and Passerdyke Creek to Dashield's, or Disharoon's Mills, thence with the mill-pond of said mills and branch following the middle prong of said branch, to Meadow Bridge, on the road, dividing the counties of Somerset and Worcester, near the southwest corner of the farm of William P. Morris, thence due east to the Pocomoke River, thence with the channel of said river to the beginning, the judges of election, in each of said districts, shall receive the ballots of each elector, voting at said election, who has resided for six months, preceding said election within said limits, for or against a new county; and the return judges of said election districts shall certify the result of such voting, in the manner, now prescribed by law, to the Governor, who shall by proclamation make known the same; and if a majority of the legal votes, cast within that part of Worcester County, contained within said lines, and also a majority of the legal votes cast within that part of Somerset County, contained within said lines, shall be in favor of a new county, then said parts of Worcester and Somerset Counties shall become and constitute a new county, to be called Wicomico County; and Salisbury shall be the county seat. And the inhabitants thereof shall thenceforth have and enjoy all such rights and privileges as are held and enjoyed by the inhabitants of the other counties of this State.

SEC. 3. When said new county shall have been so created, the inhabitants thereof shall cease to have any claim to, or interest in the county buildings, and other public property of every description, belonging to said counties of Somerset and Worcester, respectively, and shall be liable for their proportionate shares of the then existing debts and obligations of the said counties, according to the last assessment in said counties, to be ascertained and apportioned by the Circuit Court for Somerset County, as to the debts and obligations of said county, and by the Circuit Court for Worcester County, on the debts and obligations of Worcester County.

on the petition of the County Commissioners of the said counties, respectively; and the property in each part of the said counties, included in said new county, shall be bound only for the share of the debts and obligations of the county from which it shall be separated; and the inhabitants of said new county shall also pay the county taxes, levied upon them at the time of the creation of such new county, as if such new county had not been created; and on the application of twelve citizens of the proposed county of Wicomico, the Surveyor of Worcester County shall run and locate the line from Meadow Bridge to the Pocomoke River, previous to the adoption, or rejection of this Constitution, and at the expense of said petitioners.

SEC. 4. At the first general election, held under this Constitution, the qualified voters of said new county shall be entitled to elect a Senator, and two Delegates to the General Assembly, and all such county, or other officers as this Constitution may authorize, or require to be elected by other counties of the State; a notice of such election shall be given by the Sheriffs of Worcester and Somerset Counties in the manner now prescribed by law; and in case said new county shall be established, as aforesaid, then the counties of Somerset and Worcester shall be entitled to elect but two Delegates each to the General Assembly.

SEC. 5. The county of Wicomico, if formed according to the provisions of this Constitution, shall be embraced in the First Judicial Circuit; and the times for holding the courts therein shall be fixed and determined by the General Assembly.

SEC. 6. The General Assembly shall pass all such laws as may be necessary more fully to carry into effect the provisions of this article.

ARTICLE XIV.

AMENDMENTS TO THE CONSTITUTION.

SECTION 1. The General Assembly may propose amendments to this Constitution; provided, that each amendment shall be embraced in a separate bill, embodying the article or section, as the same will stand when amended and passed by three-fifths of all the members elected to each of the two houses, by yeas and nays, to be entered on the journals with the proposed amendment. The bill, or bills, proposing amendment, or amendments, shall be published by order of the Governor, in at least two newspapers in each county, where so many may be published, and where not more than one may be published, then in that newspaper, and in three newspapers published in the city of Baltimore, one of which shall be in the German language, once a week, for at least three months preceding the next ensuing general election, at which the said proposed amendment, or amendments, shall be submitted, in a form to be prescribed by the General Assembly, to the qualified voters of the State for adoption or rejection. The votes cast for and against said proposed amendment, or

amendments, severally, shall be returned to the Governor, in the manner prescribed in other cases, and if it shall appear to the Governor that a majority of the votes cast at said election on said amendment, or amendments, severally, were cast in favor thereof, the Governor shall, by his proclamation, declare the said amendment, or amendments, having received said majority of votes, to have been adopted by the people of Maryland as part of the Constitution thereof, and thenceforth said amendment, or amendments, shall be part of the said Constitution. When two or more amendments shall be submitted, in manner aforesaid, to the voters of this State at the same election, they shall be so submitted as that each amendment shall be voted on separately.

SEC. 2. It shall be the duty of the General Assembly to provide by law for taking, at the general election to be held in the year 1887, and every twenty years thereafter, the sense of the people in regard to calling a convention for altering this Constitution, and if a majority of voters at such election or elections shall vote for a convention, the General Assembly, at its next session, shall provide by law for the assembling of such convention, and for the election of delegates thereto. Each county, and legislative district of the city of Baltimore, shall have in such convention a number of delegates equal to its representation in both houses at the time at which the convention is called. But any Constitution, or change, or amendment, of the existing Constitution, which may be adopted by such convention, shall be submitted to the voters of this State, and shall have no effect unless the same shall have been adopted by a majority of the voters voting thereon.

ARTICLE XV.

MISCELLANEOUS.

SECTION 1. Every person holding any office created by, or existing under the Constitution, or laws of the State (except Justices of the Peace, Constables and Coroners), or holding any appointment under any court of this State, whose pay or compensation is derived from fees, or moneys coming into his hands for the discharge of his official duties, or, in any way, growing out of, or connected with his office, shall keep a book in which shall be entered every sum or sums of money received by him, or on his account, as a payment or compensation for his performance of official duties, a copy of which entries in said book, verified by the oath of the officer, by whom it is directed to be kept, shall be returned yearly to the Comptroller of the State for his inspection, and that of the General Assembly of the State, to which the Comptroller shall, at each regular session thereof, make a report showing what officers have complied with this section; and each of the said officers, when the amount received by him for the year shall exceed the sum which he is by law entitled to retain, as his salary, or compensation for the discharge of his duties, and for the

expenses of his office, shall yearly pay over to the Treasurer of the State the amount of such excess, subject to such disposition thereof as the General Assembly may direct; if any of such officers shall fail to comply with the requisitions of this section for the period of thirty days after the expiration of each and every year of his office, such officer shall be deemed to have vacated his office, and the Governor shall declare the same vacant, and the vacancy therein shall be filled as in case of vacancy for any other cause, and such officer shall be subject to suit by the State for the amount that ought to be paid into the treasury; and no person holding any office created by, or existing under this Constitution, or laws of the State, or holding any appointment under any court in this State, shall receive more than \$3,000 a year as a compensation for the discharge of his official duties, except in cases specially provided in this Constitution.

SEC. 2. The several courts existing in this State at the time of the adoption of this Constitution, shall, until superseded under its provisions, continue with like powers and jurisdiction, and in the exercise thereof, both at law and in equity, in all respects, as if this Constitution had not been adopted; and when said courts shall be so superseded, all causes then depending in said courts, shall pass into the jurisdiction of the several courts, by which they may be respectively superseded.

SEC. 3. The Governor, and all officers, civil and military, now holding office under this State, whether by election or appointment, shall continue to hold, exercise and discharge the duties of their offices (unless inconsistent with, or otherwise provided in this Constitution) until they shall be superseded, under its provisions, and until their successors shall be duly qualified.

SEC. 4. If at any election directed by this Constitution, any two or more candidates shall have the highest and an equal number of votes, a new election shall be ordered by the Governor, except in cases specially provided for by this Constitution.

SEC. 5. In the trial of all criminal cases, the jury shall be the judges of law, as well as of fact.

SEC. 6. The right of trial by jury of all issues of fact in civil proceedings in the several courts of law in this State, where the amount in controversy exceeds the sum of \$5, shall be inviolably preserved.

SEC. 7. All general elections in this State shall be held on the Tuesday next after the first Monday in the month of November, in the year in which they shall occur; and the first election of all officers, who, under this Constitution, are required to be elected by the people, shall, except in cases herein specially provided for, be held on the Tuesday next after the first Monday of November, in the year 1867.

SEC. 8. The Sheriffs of the several counties of this State, and of the city of Baltimore, shall give notice of the several elections authorized by this Constitution, in the manner prescribed by existing laws for elections to be held in this State, until said laws shall be changed.

SEC. 9. The term of office of all Judges and other officers, for whose election provision is made by this Constitution, shall, except in cases other-

wise expressly provided herein, commence from the time of their election; and all such other officers shall qualify as soon after their election as practicable, and shall enter upon the duties of their respective offices immediately upon their qualification; and the term of office of the State Librarian and of the Commissioner of the Land Office shall commence from the time of their appointment.

SEC. 10. Any officer elected or appointed in pursuance of the provisions of this Constitution, may qualify, either according to the existing provisions of law, in relation to officers under the present Constitution, or before the Governor of the State, or before any clerk of any court of record in any part of the State; but in case an officer shall qualify out of the county in which he resides, an official copy of his oath shall be filed and recorded in the clerk's office of the Circuit Court for the county in which he may reside, or in the clerk's office of the Superior Court of the city of Baltimore, if he shall reside therein.

VOTE ON THE CONSTITUTION.

For the purpose of ascertaining the sense of the people of this State in regard to the adoption or rejection of this Constitution, the Governor shall issue his proclamation within five days after the adjournment of this convention, directed to the Sheriffs of the city of Baltimore and of the several counties of this State, commanding them to give notice, in the manner now prescribed by law in reference to the election of members of the House of Delegates, that an election for the adoption or rejection of this Constitution will be held in the city of Baltimore and in the several counties of this State, on Wednesday, the eighteenth day of September, in the year 1867, at the usual places of holding elections for members of the House of Delegates in said city and counties. At the said election the vote shall be by ballot, and upon each ballot there shall be written or printed the words, "For the Constitution," or "Against the Constitution," as the voter may elect; and the provisions of the laws of this State, relating to the holding of general elections for members of the House of Delegates, shall, in all respects, apply to and regulate the holding of the said election. It shall be the duty of the judges of election in said city and in the several counties of the State to receive, accurately count and duly return the number of ballots so cast for or against the adoption of this Constitution, as well as any blank ballots, which may be cast, to the several clerks of the circuit courts of this State, and to the clerk of the Superior Court of Baltimore City, in the manner now prescribed by law, in reference to the election of members of the House of Delegates, and duplicates thereof directly to the Governor; and the several clerks aforesaid shall return to the Governor, within ten days after said election, the number of ballots cast for or against the Constitution, and the number of blank ballots; and the Governor, upon receiving the returns from the judges of election or the clerks as aforesaid, and ascertaining the aggregate vote throughout the State, shall, by his proclamation, make known the

same; and if a majority of the votes cast shall be for the adoption of this Constitution, it shall go into effect on Saturday, the fifth day of October, 1867.

Done in convention, the seventeenth day of August, in the year of our Lord one thousand eight hundred and sixty-seven, and of the Independence of the United States the ninety-second.

RICHARD B. CARMICHAEL,
President of the Convention.

ATTEST:
MILTON Y. KIDD,
Secretary.

AMENDMENTS.

At the January session of the General Assembly in 1890, the following amendments were proposed, and, having received a majority of the votes cast on the amendments at the general election in 1891, were proclaimed by the Governor to be a part of the Constitution.

SECTION 17, ARTICLE II.—“To guard against hasty or partial legislation, and encroachments of the Legislative Department upon the co-ordinate Executive and Judicial Departments, every bill which shall have passed the House of Delegates and the Senate shall, before it becomes a law, be presented to the Governor of the State; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it originated, which House shall enter the objections at large on its Journal and proceed to reconsider the bill; if, after such reconsideration, three-fifths of the members elected to that House shall pass the bill, it shall be sent, with the objections, to the other House, by which it shall likewise be reconsidered, and if passed by three-fifths of the members elected to that House, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the Journal of each House, respectively. If any bill shall not be returned by the Governor within six days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he signed it; unless the General Assembly shall, by adjournment, prevent its return, in which case it shall not be a law; the Governor shall have power to disapprove of any item or items of any bills making appropriations of money embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriations disapproved shall be void, unless re-passed according to the rules or limitations prescribed for the passage of other bills over the executive veto.”

SECTION 48, ARTICLE III.—“Corporations may be formed under general laws; but shall not be created by special Act, except for municipal purposes, and except in cases where no general laws exist providing for the creation of corporations of the same general character as the corporation proposed to be created; and any Act of incorporation passed in violation of this section shall be void; all charters granted or adopted in pursuance of this section, and all charters heretofore granted and created, subject to repeal or modification, may be altered from time to time, or be repealed; provided nothing herein contained shall be construed to extend to banks, or the incorporation thereof; the General Assembly shall not alter or amend the charter of any corporation existing at the time of the adoption of this Article, or pass any other general or special law for the benefit of such corporation, except upon the condition that such corporation shall surrender all claim to exemption from taxation or from the repeal or modification of its charter, and that such corporation shall thereafter hold its charter subject to the provisions of this Constitution; and any corporation chartered by this State which shall accept, use, enjoy or in any wise avail itself of any rights, privileges or advantages that may hereafter be granted or conferred by any general or special Act, shall be conclusively presumed to have thereby surrendered any exemption to which it may be entitled under its charter, and shall be thereafter subject to taxation as if no such exemption had been granted by its charter.”

SECTION 1, ARTICLE VII.—“County Commissioners shall be elected on general ticket of each county by the qualified voters of the several counties of the State on the Tuesday next after the first Monday in the month of November, commencing in the year 1891; their number in each county, their compensation, powers and duties, shall be such as are now or may be hereafter prescribed by law; they shall be elected at such times, in such numbers, and for such periods not exceeding six years as may be prescribed by law.

SECTION 3, ARTICLE XII.—“The board of public works is hereby authorized, subject to such regulations and conditions as the General Assembly may from time to time prescribe, to sell the State's interest in all works of internal improvement, whether as a stockholder or creditor, and also the State's interest in any banking corporation, receiving in payment the bonds and registered debt now owing by the State, equal in amount to the price obtained for the State's said interest.”

SECTION 51, ARTICLE III.—“The personal property of residents of this State shall be subject to taxation in the county or city where the resident *bona fide* resides for the greater part of the year for which the tax may or shall be levied, and not elsewhere, except goods and chattels permanently located; but the General Assembly may by law provide for the taxation of mortgages upon property in this State and the debts secured thereby in the county or city where such property is situated.”

AMENDMENT ADOPTED AT THE GENERAL ELECTION HELD
NOVEMBER, 1893.

SEC. 39. The General Assembly shall, as often as it may think the same proper and expedient, provide by law for the election of an additional Judge of the Supreme Bench of Baltimore City, and whenever provision is so made by the General Assembly, there shall be elected by the voters of said city another Judge of the Supreme Bench of Baltimore City, who shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation and have the same powers as are or shall be provided by the Constitution or laws of this State, for the Judges of said Supreme Bench of Baltimore City, and the General Assembly may provide by laws, or the Supreme Bench by its rules, for requiring causes in any of the Courts of Baltimore City to be tried before the court without a jury, unless the litigants or some one of them shall within such reasonable time or times as may be prescribed, elect to have their causes tried before a jury. And the General Assembly may reapportion, change or enlarge the jurisdiction of the several courts in said city.

NOTE TO SEC. 24, ART. IV.—General Assembly Act of 1892, Chap. 388, increased the salary of Chief Judges and Associate Judges of the Circuit Courts from \$3500 and \$2800, respectively, to \$4500 and \$3800, respectively; and increased the salary of Judges of the Supreme Bench of Baltimore City to \$4500.

**CENSUS OF THE SEVERAL COUNTIES AND THEIR
ALLOTMENT TO THE HOUSE OF DELEGATES
UNDER STATE CENSUS, 1901.**

	Population.	Delegates.
Baltimore City	517,035	18
Allegany County	53,304	5
Anne Arundel County	34,791	4
Baltimore County	88,028	6
Calvert County	9,963	2
Caroline County	16,792	2
Carroll County	33,651	4
Cecil County	24,450	3
Charles County	16,602	2
Dorchester County	28,293	4
Frederick County	51,639	5
Garrett County	17,386	2
Harford County	28,307	4
Howard County	16,276	2
Kent County	17,788	2
Montgomery County	29,155	4
Prince George's County	28,325	4
Queen Anne's County	18,568	3
Somerset County	25,628	3
St. Mary's County	16,890	2
Talbot County	20,314	3
Washington County	44,491	5
Wicomico County	22,908	3
Worcester County	20,805	3

INDEX.

- Abolition, Maryland opposed to, 134.
Abolitionists, 121, 126.
Absent soldiers' vote, 138.
Act, habeas corpus: see Habeas Corpus Act.
Alexander, Charles, 84.
Alexander, Thomas S., 138.
Alsop, George, letter of, 53.
American party, 120.
Annapolis, founded, 18.
 becomes the capital of the State, 32.
 the chief town, 41.
Anti-slavery party, 120.
Anti-slavery feeling, growth of, in Maryland, 136.
Arbitrary use of power, 135.
Ark and Dove, sailing of, 9.
Arrests, arbitrary, 130, 132.
Asbury, Francis, 67.
Assembly, General, first, 10.
 second, 17.
 at first a primary assembly, 8.
Australian ballot system introduced, 157.
Avalon, settlement of, 6.
d'Ayllon, Lucas Vasquez, 9.
Backwoodsmen, 55.
Bacon's rebellion, 29.
Baltimore, Lord: see Calvert.
Baltimore founded, 41.
 incorporated, 92.
 riots in, 98, 120, 128, 173.
 threatened by British, 102.
 debt, beginning of, 107.
 Federal troops stationed at, 129.
 trade of, 170.
 sesqui-centennial of, 176.
Baltimore and Ohio Railroad, 111.
 strike, 171.
Baltimore City College, 167.
Baltimore Clippers, 92.
Bankruptcy, State threatened with, 85.
Banks, N. P., 131.
Barney, Joshua, 84, 99, 101.
Barron, James, 119.
Bennett, Richard, 18.
Blackiston, Nehemiah, 31.
Bladensburg, battle of, 101.
Bohemia Manor, 23.
Booth, John Wilkes, 150.
Boston, port of, closed, 60.
 supplies sent to, 62.
Boteler, John, 14.
Boundaries of province, original, 23.
Braddock, General, 35, 36.
Bradford, Augustus W., 133, 136.
Brent, Margaret, 16.
Brent, Mary, 16.
Brown, George William, 121.
Burgesses, House of, 26.
Calvert, Benedict Leonard, 29, 33.
Calvert, Cecilius, Lord Baltimore.
 founder of Maryland, 5.
 receives charter of Maryland, 7.
 death, 28.
 and the Jesuits, 33.
Calvert, Charles, 21.
Calvert, Frederick, 34, 37.
Calvert, George, Lord Baltimore.
 birth, 5.
 knighted, 5.
 Secretary of State, 5.
 professes the Catholic faith, 5.
 founder of Maryland, 5.
 created Baron Baltimore, 5.
 receives grant of Avalon, 6.
 sails from Avalon, 6.
 death, 6.
Calvert, Leonard, first Governor, 9.
 death, 16.
Calvert, Philip, 20.
Camden, battle of, 76.
Canada, invasion of, 99.
Canals, building of, 111.
Capital, State, changed to Annapolis, 32.
Carroll, Charles, of Carrollton, 62, 63, 64, 69, 90, 111, 124.

- Carroll, Daniel, 89.
 Carroll, John Lee, 68.
 Catholics, hatred of, 6, 7, 11.
 number of, in the colony, 26.
 supposed plot of, 31.
 persecuted, 32.
 Charles I., 6.
 Charles II., 20.
 Charleston surrendered to British, 75.
 Chase, Samuel, 62, 63, 64, 68.
 Chesapeake Bay first entered by a European, 9.
 lack of towns due to, 42.
 the great highway, 42.
 shores of, plundered by British, 81, 100.
 blockaded, 100.
 Chesapeake and Leopard, 94.
 Cheseldyn, Kenelm, 31.
 Church, Catholic, in America, 68.
 Episcopal, 66.
 Methodist, 67.
 Civil War, begins, 128.
 ends, 148.
 cost of, 170.
 Claggett, John Thomas, 67.
 Claiborne, William, settles on Kent Island, 11.
 enemy of Lord Baltimore, 11, 18.
 his ships captured, 14.
 invades Maryland, 15.
 Clergy cannot be members of the General Assembly, 33.
 Climate, 51.
 Clinton, Sir Henry, 74.
 Clipper ships, 92.
 Cockatrice captured, 14.
 Colleges in the State, list of, 165.
 Colonists, classes of, 52.
 Colored persons: see Negroes.
 Commerce destroyed by blockade of Chesapeake Bay, 100.
 of Baltimore, 170.
 Committees of correspondence, 62.
 Confederation of colonies, Maryland refuses to join, 87.
 Maryland joins, 87.
 Confederate soldiers in Maryland, position of, 151.
 Congress of colonies, delegates to, 62.
 Constitution, State, the first, adopted, 64.
 changes in, 137.
 of 1864, 137, 138.
 of 1867, 155.
 Constitution of United States, adopted, 89.
 Convention, Federal, 89.
 Convention, Constitutional, first, 64.
 of 1864, 137.
 of 1867, 155.
 Convicts, 53.
 Coode, John, 31, 33.
 Cook, Ebenezer, letter of, 45.
 Cooper, Peter, 111.
 Copley, Sir Lionel, 31.
 Cornwallleys, Thomas, 9.
 Cornwallis, surrender of, 83.
 Council of Maryland, 8, 28.
 captured by Coode, 31.
 Cowpens, battle of, 78.
 Cresap, Michael, 70.
 Cromwell, Oliver, 19, 20.
 Cumberland, labor riots in, 172.
 Debt, Baltimore, beginning of, 107.
 in 1890, 181.
 Debt, State, beginning of, 107.
 in 1890, 181.
 Decatur, Stephen, 93, 119.
 Delegates, House of, 26.
 Democratic Conservative party, 154.
 Democratic party, 108, 156.
 Discontent of colonies, causes of, 57.
 Disfranchisement of citizens, 137, 152, 153.
 Disfranchisement of citizens removed, 154.
 District of Columbia, chosen as site for Federal Government, 90.
 Doughoregan Manor, 47.
 Douglass, Frederick, 123.
 Dove: see Ark and Dove.
 Duels, 119.
 Dulany, Daniel, 59, 72.
 Dutch, settlement of, 22.
 trade of, with colonies, 28.

- Eden, Sir Robert, 34, 63.
 Education, higher, State aid to, 162.
 Elections, Federal interference in, 133.
 frauds in, 136, 153.
 results of, 156.
 Elliott, Jesse D., 99.
 Elzey, Arnold, 141.
 Emancipation Proclamation, 136.
 Embargo on vessels in American ports, 95.
 England, Church of, 26, 31.
 England, war with, causes of, 94.
 declared, 97.
 Enoch Pratt Free Library of Baltimore, 160.
 Episcopal Church, 66.
 Eutaw, battle of; 80.
 Factional feeling in Maryland, 150.
 Farm products, 49.
 Federalists, 108.
Federal Republican, riots caused by, 98.
 Fendall, Josias, 19.
 Fendall's rebellion, 20.
 Fillmore, Millard, 121.
 First Maryland Regiment, 141.
 Fleete, Captain Henry, 13.
 Floods, 179.
 Fox-hunting, 49.
 Frauds in elections, 136, 153.
 Frederick, taken by Confederate Army, 144.
 laid out, 56.
 ransomed, 147.
 Freeman, 52.
 Free negroes, 125.
 Free school, first in the colony, 32.
 Free schools: see Public Schools.
 Free-soil party, 121.
 French and Indian War, 34.
 Friends: see Quakers.
 Frietchie, Barbara, 144.
 Fugitive slaves, 125.
 Fuller, William, 19, 21.
 Furniture, colonial, 47.
 Game, abundance of, in colony, 49.
 Garrett, Mary, 161.
 Gates, General, 75.
Gazette, Maryland, 42, 59.
 George I., 33.
 Germans in Maryland, 55, 122.
 Gilman, Daniel C., 161.
 Gilmor, Harry, 146.
 Gist, Mordecai, 70, 76.
 Goldsborough, Robert, 62.
 Gorsuch, Edward, case of, 125.
 Government, State: see State Government.
 Greene, Nathaniel, 77.
 Guilford, battle of, 79.
 Gunby, Colonel, 76, 77.
 Habeas corpus act suspended, 131.
 Hagar, Jonathan, 56.
 Hagerstown, mentioned by Mrs. Trollope, 115.
 laid out, 56.
 taken by the Confederate Army, 146.
 ransomed, 147.
 Hanson, Alexander C., 98.
 Hawley, Jerome, 9.
 Henry, John, 90.
 Herman, Augustine, 22, 23.
 Hicks, Thomas H., 126.
 Home manufactures, rise of, 96.
 Hood, Zachariah, 58.
 Hopkins, Johns, 161.
 Hospitality, 45.
 Household furniture, 48.
 Houses, how built, 47.
 Howard, John Eager, 76, 77, 78, 79.
 Howe, Sir William, 72.
 Ibbertson's school, 168.
 Immigration, 127.
 Independence, not desired at first; 63.
 Maryland concurs in, 63.
 Declaration of, 63.
 Indians, friendliness of, 11, 38.
 Indians, raids of, 35, 36.
 tribes of, 38.
 Ingle, Richard, invasion of, 15.
 Initiative in legislation, 17.
 Interest payments suspended, 112.
 resumed, 113.
 Invasions of Maryland by Confederate Army, 144, 145, 146.
 Inventions, mechanical, 127.
 Iron-clad oath, 137.

- Jackson, Stonewall, 142, 144.
 James I., 5.
 James II., 30.
 Jamestown, 6.
 Jenifer, Daniel of St. Thomas, 89.
 Jesuits, 33.
 Jews, enfranchisement of, 109.
 Johns Hopkins Hospital, 161.
 Johns Hopkins University, 161.
 Johnson, Bradley T., 141, 142.
 Johnson, Mrs. Bradley T., 141.
 Johnson, Reverdy, 138.
 Johnson, Thomas, 66.
 Joppa, 40.
 Jowles, Henry, 31.

 de Kalb, 68, 75, 76, 77.
 Kane, George P., 131.
 Kenly, John R., 132, 141, 142, 143.
 Kent Island, Claiborne's settlement on,
 11.
 claimed by Virginia, 13.
 captured by Leonard Calvert, 14.
 Key, Francis Scott, 106.
 Kindergarten, first, in Maryland, 168.
 King William School, 32, 162.
 Know-nothing party, 120.

 Lafayette, 68, 82.
 Lafayette, Fort, 132.
 Latrobe, John H. B., 164.
 Lee Charles, 73, 74.
 Lee, Henry, 98.
 Lee, Robert E., 144, 148.
 Letter of instructions from Lord Balti-
 more, 13.
 Liberia, colony of, 125.
 Liberty party, 126.
 Lights used by early settlers, 48.
 Lincoln, Abraham, 126, 130, 136.
 inaugural address of, 148.
 assassinated, 150.
 Lingan, James M., 98.
 Long Island, battle of, 70.

 McCausland, John, 146.
 McDonogh Institute, 159.
 McDonogh, John, 159.
 McHenry, James, 89.
 McHenry, Fort, 130.
 bombarded, 105.
 Manors, old Maryland, 44.
 Martin, Luther, 89, 123.
 Maryland, charter of, received by Lord
 Baltimore, 6.
 named, 6.
 a palatinate, 8.
 boundaries of, 23.
 becomes a royal colony, 31.
 conservatism of, 63.
 concurs in independence, 63.
 troops furnished by, in Revolu-
 tion, 72.
 refuses to join the Confederation,
 87.
 joins the Confederation, 87.
 advances money for new Federal
 Capital, 91.
 opposed to secession, 126.
 not opposed to slavery, 134.
 troops in Civil War, 141.
 Maryland Agricultural College, 165.
 Maryland Brigade in Civil War, 143.
 Maryland Institute, 164.
 Maryland line in Revolution, 75.
 survivors of, 84.
 Mason and Dixon's line, 24.
 Massachusetts, charter of, annulled, 60.
 troops attacked in Baltimore, 128.
 Mercer, John Francis, 89.
 Merryman, John, case of, 130.
 Methodist Church in America, 67.
 Mifflin, Fort, defense of, 73.
 Military occupation of the State, 129,
 134, 151.
 Minority rule, 109, 152.
 Money, paper: see Paper Money.
 Monmouth, battle of, 74.
 Murdock, William, 59.
 Mynne, Anne, 5.

 Nanticoke Indians, 38.
 Naturalization, first, in Maryland, 23.
 Naval Academy, proposed removal of,
 155.
 Navigation Act, 28.
 Negroes, free, 125.
 political status of, 152.

- Negroes, vote for first time, 156.
 - schools for, 168.
- Negro slaves, 54, 122.
- Nicholson, Francis, 33.
- Nicholson, James, 84.
- Nicholson, John, 84.
- Nicholson, Samuel, 84.
- Non-importation societies, 59.
- Normal School, State, 167.
- North Point, battle of, 102.
- Notley, Thomas, 28.
- Oath, iron-clad, 137.
- Occupation, military, 129, 134, 151.
- Oysters, 49.
- Paca, William, 62, 64.
- Palatinate, Maryland a, 8.
- Paper money, 86.
- Papists: see Catholics.
- Pascataway Indians, 38.
- Peabody, George, 113, 158.
- Peabody Institute, 158.
- Peggy Stewart, burning of the, 60.
- Penn, William, 23.
- Philadelphia, Congress meets at, 62.
 - taken by British, 73.
 - evacuated, 74.
- Pinkney, William, 94.
- Pirates, Barbary, suppressed, 92.
- Planters, 52.
- Plundering time, 15.
- Political parties, 108. See Democratic, etc.
 - new, 120.
- Population of the twelve colonies, 34.
- Post route, first, established, 44.
- Pratt, Enoch, 160.
- Pratt, Thomas G., 113.
- Privateers, 84, 99.
- Products, agricultural, 49.
- Proprietor, Lord, 8.
 - disputes of, with colonists, 26.
 - with King, 29.
 - is deposed, 31.
 - list of, 37.
- Protestants, hatred of for Catholics, 7.
 - number in colony, 26.
- Providence, settlement of, 18.
- Public school system, 166 to 168.
- Pulaski, 68.
- Puritans, driven from Virginia, 18.
 - take refuge in Maryland, 18.
 - get control of government, 19.
 - intolerance of, 19.
 - number of, in colony, 26.
- Quakers, settle in Maryland, 21.
 - refuse allegiance, 22.
 - opposed to slavery, 124.
- Railroad, first, in Maryland, 111.
- Ramsay, Nathaniel, 74.
- Rangers, 55.
- Redemptioners, 52.
- Reforms in the State Government, 110, 154.
- Registration Act of 1865, 151.
 - repealed, 154.
- Remsen, Ira, 161.
- Republican party, 108, 126, 154, 156.
- Ringgold, Thomas, 59.
- Riots in Baltimore, 98, 128, 173.
- Roads, building of, 111.
 - rolling, 43.
- Rousby, Christopher, 30.
- St. John's College, 162.
- St. Mary's, settlement of, 9.
 - growth of, 39.
 - capital removed from, 32.
- Schley, John Thomas, 56.
- Schley, William, 138.
- Schley, Winfield Scott, 56.
- Schools in the State, list of, 165.
- Schools, public: see Public Schools.
- Search, right of, on American vessels, 94.
- Secession, Maryland opposed to, 126.
 - in Maryland feared by Federal Government, 133.
- Secession, the question of, 134.
- Secret ballot introduced, 157.
- Sectional feeling, 150.
- Sesqui-centennial of Baltimore, 176.
- Settlements, scattered, reasons for, 39.
- Settlers, classes of, 52.
- Seward, Secretary, 136.
- Slaves, negro in Maryland, 54, 122.
 - importation of, forbidden, 123.

- Slaves, fugitive, 125.
 number set free in Maryland, 138.
 Slavery, Maryland divided on question of, 122.
 abolished in District of Columbia, 134.
 in the Territories, 136.
 in Maryland, 137.
 Smallwood, William, 70, 76.
 Smith, John Walter, 157.
 Smith, Samuel, 73, 102.
 Smith, Thomas, 14.
 Soil, 51.
 Sons of Liberty, 59.
 Southern States, Maryland classed with, 122.
 Sports, 49.
 Stamp Act, 34, 57.
 repealed, 59.
 Stamps not allowed to be sold, 58.
 Star-Spangled Banner, writing of, 106.
 State invests in securities, 111.
 military occupation of, 129, 134, 151.
 Constitution: see Constitution.
 State Government organized, 64, 65.
 reforms in, 110.
 States, jealousy among the, 88.
 Stewart, Anthony, 60.
 Stirling, Lord, 70.
 Stone, Thomas, 64.
 Stone, William, 16, 19.
 Stone, Captain William, 84.
 Stricker, John, 102.
 Strike, Baltimore and Ohio Railroad, 171.
 Strikes, labor, 96.
 Stuyvesant, Peter, 22.
 Susquehannough Indians, 15, 38.
 Swann, Thomas, 153.
 Swedes, settle in Maryland, 22.
 Talbot, George, 29, 30.
 Taney, Roger Brooke, 124, 130, 131.
 Taxes not to be laid by Parliament, 9, 29.
 on tea, etc., 59.
 Telegraph, electric, first, in America, 113.
 Theatre, first, 42.
 Thomas Wilson Sanitarium, 159.
 Tilghman, Edward, 59.
 Tilghman, Matthew, 62.
 Tilghman, Tench, 82.
 Tobacco used as money, 50.
 grown by all settlers, 49.
 Toleration, religious, 7.
 Toleration Act passed, 16.
 Tome Institute, 159.
 Tome, Jacob, 159.
 Tories, 72.
 Towns, early, 40.
 Towson, Nathan, 99.
 Trade, growth of, 91.
 of Baltimore, 170.
 Troops, Federal, stationed at Baltimore, 129.
 Maryland, in Revolution, 72, 84.
 in Civil War, 141.
 Union of colonies, causes of, 57.
 Union party, Radical, 154.
 Conservative, 154.
 University of Maryland, 163.
 Utie, Nathaniel, 22.
 Virginia hostile to Maryland, 11.
 claims Kent Island, 13.
 disputes with, about boundary, 25.
 Wagner, Jacob, 98.
 Warren, Fort, 133.
 War with England, opposition to, 98.
 Washington, George, 69, 74, 90.
 Washington City founded, 90.
 Washington College, 162.
 Washington taken by the British, 101.
 Weems, Mason, case of, 67.
 Western lands, question of, 87.
 Western country, development of, 110.
 Whigs, 110.
 White, Father Andrew, 16.
 William and Mary, 30.
 Williams, Otho H., 75, 76, 80.
 Wilson, Thomas, 159.
 Winder, William H., 101.
 Women of Maryland, beauty of, 42.
 patriotism of, 82.
 Wye Hall, 47.

Bab

84

5

SP1

